Dr Irene Asaba Mugisha, the head of

The camp also catered for male pa-

Court stops auction of matrimonial home

BY ANTHONY WESAKA

KAMPALA. The High Court has temporarily blocked NCBA Bank Uganda Limited from auctioning a disputed matrimonial home in Kiwatule, Kampala, citing lack of spousal consent, pending the determination of a suit filed by a 69-year-old housewife.

Justice Patience Rubagumya of the Commercial Division issued the interim order after ruling that the applicant, Ms Negash Tenaye Anteneh, had met the legal threshold for a stay of execution. "There is a serious or imminent threat of execution... and if the application is not granted, the pending suit would be rendered nugatory," Justice Rubagumya ruled on April 2.

The court ordered that execution of the consent judgment in Civil Suit No. 484 of 2024 be stayed, specifically in relation to the property located on Kyadondo Block 220 Plot 850 in Kiwatule, until the main case is determined.

Court heard that Ms Negash is lawfully married to Mr Haile Banteyehun and has lived on the property for over two decades. The couple reportedly married in Ethiopia in 1969 and later constructed their home in Kiwatule in 2004, although the property was registered in the husband's name.

According to court records, the applicant has occupied the home continuously, raising her children there and developing strong emotional and financial attachment to the property.

"She has lived there for over 20 years... and has profound family memories attached to it," the ruling notes. Justice Rubagumya further observed that such attachment cannot be adequately compensated through monetary damages.

The dispute arises from a mortgage over the property, which Ms Negash claims was created without her knowledge or consent. The property had been advertised for sale by the bank on October 31, 2025, after it was used as security in a loan arrangement.

Ms Negash maintains that she only became aware of the mortgage on November 19, 2025, after a friend alerted her to the sale advertisement. Through her lawyers of M/s Olympia Advocates, Ms Negash has sued the bank, Vambeco Enterprises Limited, and her husband, seeking a declaration that the property is matrimonial property and, therefore, protected under the law.

The applicant alleges that her husband and Vambeco Enterprises fraudulently used the home as collateral without her approval, and that the bank failed to conduct adequate due diligence before registering the mortgage. Court documents indicate that the 2024 consent judgment allowed Vambeco Enterprises to dispose of mortgaged properties to settle a loan, with the bank retaining the right to sell the assets in case of default.

ABOUT THE LAW

The Land (Amendment) Act and the Mortgage Act prohibit the sale or mortgaging of a family home without the written consent of both spouses, a provision aimed at protecting occupancy rights and preventing unlawful dispossession.