

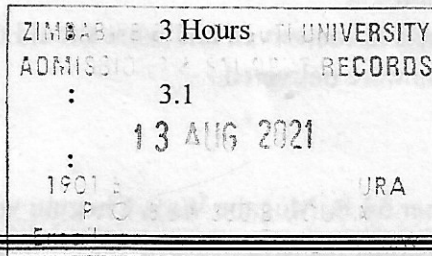


**ZIMBABWE EZEKIEL GUTI UNIVERSITY**

**FACULTY OF LAW**

**EXAMINATION PAPER**

**COURSE CODE** : LLB 305  
**COURSE TITLE** : Clinical and Practical Skills 1  
**DURATION** : 3 Hours  
**LEVEL** : 3.1  
**DATE** : 13 AUG 2021



**INSTRUCTIONS TO CANDIDATES:**

1. Answer all questions. Marks allocated for each question are shown in brackets.
2. You may take into the examination room the following:-
  - 2.1 Constitution of Zimbabwe Number of 20 of 2013
  - 2.2 High Court Rules, RGN No. 380/1964
  - 2.3 Constitutional Court Rules SI 61 of 2016
  - 2.4 High Court of Zimbabwe Act [Chapter 7:06]
  - 2.5 Supreme Court of Zimbabwe Act [Chapter 7:13]
  - 2.6 Matrimonial Causes Act [Chapter 5:13]

**NB The above must not be annotated in any way.**

### Question 1

Rose Chandiriga (nee Chingwa) is a married woman of Number 123 Aerodrome Bindura. She is married to Caston Chandiriga of Plot 10 Dande Farm, Matepa-tepa Norton. The couple is married in terms of the Marriages Act [Chapter 5:11] and the marriage was solemnized at Chivhu Magistrates Court on 24<sup>th</sup> December, 2011. Couple was blessed with two children, namely Rosalie Chandiriga born on 12<sup>th</sup> December, 2012 and Robin Chandiriga born on 15<sup>th</sup> June, 2015. Their marriage relationship has irretrievably broken-down owing to counter accusations of infidelity and earnings non-disclosure. The wife, Rose Chandiriga has engaged you for dissolution of the marriage, custody and maintenance. (Not their real names)

Assuming the couple have agreed that each party should keep property it remained with/took away at the time of their separation on 5<sup>th</sup> April, 2020, attend to following: -

- a) Draft Plaintiff's Declaration [15 Marks]
- b) How are Summons for such action served and what should the Plaintiff take to court as evidence that Summons were delivered. [5 Marks]

### Question 2

Tafadzwa Chizenga of Number 54 R. Mugabe Way, Chegutu who is into cattle trading bought four bovines from Jonathan Muzaya of Farm 12, Chemagamba Road, Chinhoyi unbeknown to him the bovines were stolen stock. After buying the bovines, Chizenga sold the same to Bowas Abattoirs, owned by Bowas Mvere for US\$200-00 per beast. Mrs Julia Kufa of Plot 45, Knowe, Norton, the owner of the stolen bovines, through the assistance of the Police managed to recover the four bovines at Bowas Abattoirs in Norton.

Meanwhile Chizenga and Muzaya are arrested for Stock Theft. Bowas intent to recover his money from Chizenga and has approached you for guidance. (Not their real names).

Attend to the following: -

- a) Draft a Letter of Demand [10 Marks]
- b) Draft Particulars of Claim [10 Marks]
- c) Draft the State Outline [10 Marks]

### Question 3

In the discharge of their legal duties, Legal Practitioners normally commence with receiving instructions from client(s) before taking any course of action. Outline five major aspects which a proper consultation should cover and the relevance of these.

{20 Marks}