



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF LAW

EXAMINATION PAPER

COURSE CODE	:	LLB 305
COURSE TITLE	:	Clinical and Practical Skills Training 1
DURATION	:	3 Hours
LEVEL	:	3.1
DATE	:	

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 Magistrates Court, Civil Rules 2018
 - 2.2 Matrimonial Causes Act [Chapter 5:13]

NB The above must not be annotated in any way.

3. Use Blue or black ink only but not interchangeably.

Question 1

Joab and Job Chirinda are brothers who entered into an Agreement with Rich Zigumba for the purchase of a Commercial Stand situate in the District of Bindura. The stand was sold for US\$15 000-00 payable over three years commencing 15th October, 2020 to 14th October 2023. The Chirinda brothers has been religiously paying their installments but due to inflation, Zigumba is no longer interested in the sale and thus cancelled the Agreement. Meanwhile the Chirinda brothers had paid a total consideration of US\$5200 - 00 towards the purchase of the stand. It was a material term of the Agreement that should any party decide to cancel the Agreement, the other party would be compensated. Assuming both the Seller and the Purchaser are resident in Mashonaland Central Province and that you are a Legal Practitioner instructed by the Purchaser,

- (i) Draft a letter of Demand, (10 Marks)
- (ii) Draft the Particulars of Claim. (15 Marks)

[Total 25 Marks]

Question 2

Casanova Bucks is a gold dealer in the Province of Mashonaland Central. He lured Pretty Kativhu a 2nd year Social work Student at ZEGU into a relationship promising to marry her. As the relationship develops, Casanova introduces Pretty to his Auntie as 'my wife to be' and this excites Pretty so much that she engaged in unprotected sexual intercourse with Casanova that very night. Three months down the line, Pretty discovers that she has fallen pregnant. She notifies Casanova who begin to show that he is not interested in her and is no longer giving her any support. Out of desperation, Pretty goes to the Youth Clinic for counselling and HIV testing. She discovers that she is HIV positive and that Casanova is a client at the Youth Clinic who has been on Anti-Retroviral treatment for the past three years.

You have been consulted by Pretty for legal assistance,

- (i) Outline the legal options available to her against Casanova. [Total 20 Marks]

Question 3

Outline the stages in the Magistrate Court, from commencement to judgment, in a defended civil matter where there are material disputes of facts.

[Total 20 Marks]

Question 4

Outline the five major components of a properly prepared consultation paper.

[Total 5 Marks]

END OF QUESTION PAPER