

IN THE COURT OF APPEAL OF BOTSWANA
HELD AT LOBATSE

Civil Appeal No. 38 of 1995

In the matter between:

JOHANNES LECHUTI

Appellant

vs.

ROLONG LAND BOARD

Respondent

Appellant in person

Mr. M. S. Gaongalelwe for the Respondent

J U D G M E N T

Coram: A. N. E. Amissah, J.P.
G. G. Hoexter, J.A.
Lord Allanbridge, J.A.

AMISSAH, J.P.:

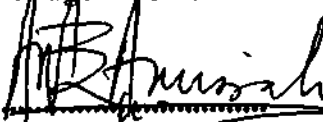
This is a case which depends entirely on the version of the facts accepted by the learned trial judge. He heard and saw the witnesses and decided in favour of the respondent. We have listened to the appellant at length on why he thinks the judgment should not be allowed to stand. Not being in the position to assess the veracity of the witnesses called at the trial, we cannot accede to his request that the judge's finding of fact should be reversed. We accordingly dismiss the appeal with costs.

Delivered in open Court at Lobatse this 18th day of July 1996.



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A. N. E. AMISSAH

Judge President



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G. G. HOEXTER

Judge of Appeal



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LORD ALLANBRIDGE

Judge of Appeal