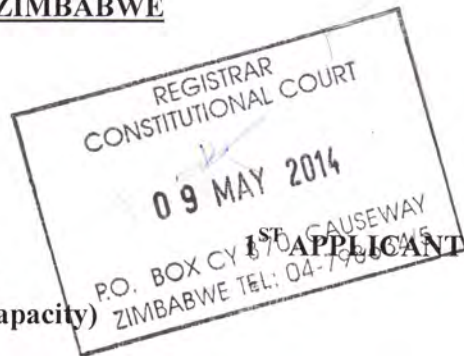




**IN THE CONSTITUTIONAL COURT OF ZIMBABWE**

Const Application No. CCZ35/13  
Ref CCZ37/13  
CCZ 31/13  
CCZ 28/13



**MORGAN R. TSVANGIRAI**  
(In his capacity as the Prime Minister of the  
Republic of Zimbabwe and in his personal capacity)

**WELSHMAN NCUBE**

**2<sup>ND</sup> APPLICANT**

**NIXON NYIKADZINO**

**3<sup>RD</sup> APPLICANT**

**MARIA PHIRI**

**4<sup>TH</sup> APPLICANT**

**AND**

**THE PRESIDENT OF THE REPUBLIC OF  
ZIMBABWE R. G. MUGABE**  
(In his official capacity)

**1<sup>ST</sup> RESPONDENT**

**PATRICK ANTHONY CHINAMASA N.O**

**2<sup>ND</sup> RESPONDENT**

**JEALOUSY MBIZVO MAWARIRE**

**3<sup>RD</sup> RESPONDENT**

**THE ATTORNEY –GENERAL**

**4<sup>TH</sup> RESPONDENT**

**THE ZIMBABWE ELECTORAL COMMISSION**

**5<sup>TH</sup> RESPONDENT**

**ARTHUR GUSENI OLIVER MUTAMBARA N.O**

**6<sup>TH</sup> RESPONDENT**

HARARE: Friday the 5<sup>th</sup> day of July 2013

Before the Honourable **Mr Justice Chidyausiku**, Chief Justice

the Honourable **Mr Justice Malaba**, Deputy Chief Justice

the Honourable **Mrs Justice Ziyambi**, Judge of Appeal

the Honourable **Mrs Justice Gwaunza**, Judge of Appeal

the Honourable **Mr Justice Garwe**, Judge of Appeal

the Honourable **Mrs Justice Gowora**, Judge of Appeal

DISTRIBUTED BY VERITAS

e-mail: [veritas@mango.zw](mailto:veritas@mango.zw); website: [www.veritaszim.net](http://www.veritaszim.net)  
Veritas makes every effort to ensure the provision of reliable information,  
but cannot take legal responsibility for information supplied.



the Honourable **Mr Justice Patel**, Judge of Appeal  
the Honourable **Mr Justice Hlatshwayo**, Judge of Appeal  
and the Honourable **Mr Justice Chiweshe**, Acting Judge of Appeal

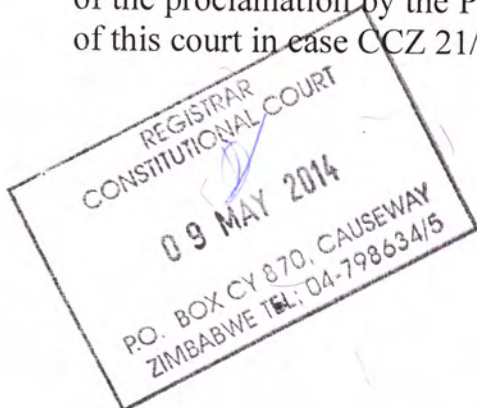
L. Uriri for the 1<sup>st</sup> & 3<sup>rd</sup> Applicants  
T. Mpfu for the 2<sup>nd</sup> & 4<sup>th</sup> Applicants  
T. Hussein for the 1<sup>st</sup> Respondent  
F. Gijima for the 2<sup>nd</sup> Respondent  
J. Mandizha for 3<sup>rd</sup> Respondent  
Garisa-nheta for 4<sup>th</sup> Respondent  
T. Kanengoni for the 5<sup>th</sup> Respondent  
No appearance for the 6<sup>th</sup> Respondent

**WHEREUPON**, after perusing papers filed of record and hearing counsel,

**IT IS ORDERED THAT:**

The court unanimously concluded that the applications should be and are hereby dismissed with no order as to costs.

For the avoidance of doubt elections should proceed on 31<sup>st</sup> July 2013 in terms of the proclamation by the President of Zimbabwe in compliance with the order of this court in case CCZ 21/13.



**BY THE COURT**

**REGISTRAR**