IN THE HIGH COURT FOR ZAMBIA **2026/HP/EP/041**
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Civil Jurisdiction)

IN THE MATTER OF:	**ARTICLE 73(1) OF THE CONSTITUTION OF ZAMBIA (AMENDMENT) ACT NO. 2 OF 2016 OF THE LAWS OF ZAMBIA**
IN THE MATTER OF:	**SECTIONS 81, 83, 84, 97, 98 AND 100 (1) (a) OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016 OF THE LAWS OF ZAMBIA.**
IN THE MATTER OF:	**REGULATION 15 OF THE ELECTORAL CODE OF CONDUCT, 2016**
IN THE MATTER OF:	**THE HIGH COURT ELECTION PETITION RULES, 2026 S.I NO. 31 OF 2026**
IN THE MATTER OF:	**AN ELECTION PETITION RELATING TO CHAMA SOUTH CONSTITUENCY PARLIAMENTARY ELECTIONS HELD ON THURSDAY, 13TH AUGUST, 2026**

BETWEEN:

DANIEL PHIRI	**PETITIONER**
AND	
NKHATA JERIX	**1ST RESPONDENT**
ELECTORAL COMMISSION OF ZAMBIA	**2ND RESPONDENT**

REPUBLIC OF ZAMBIA HIGH COURT OF ZAMBIA 15 SEP 2026 PRINCIPAL REGISTRY P.O. BOX 50067, LUSAKA

ORDER

UPON HEARING Counsel for the **1st** Respondent,

AND UPON READING the Affidavit in Support of the Notice of Motion for an Order to dismiss the Petition for want of jurisdiction, Notice of Motion for an Order to dismiss Petition for want of jurisdiction and Skeleton Argument filed in support hereof,

IT IS HEREBY ORDERED that the Election Petition filed before this Honourable Court on 2nd September,2026 **BE** and is **HEREBY** dismissed for want of jurisdiction on the part of the Court.

IT IS FURTHER ORDERED that this matter shall come up for hearing of the application to dismiss the Election Petition on _____day of_____2026 at _____hours

Dated this _____ day of _____ 2026.

_____

HONOURABLE JUDGE OF THE HIGH COURT

Per: Kamwi Andeleki Legal Practitioners
Stand No. 7431, Premium House,
8th Floor Suite 801B,
Independence Avenue,
P.O. Box 37619,
LUSAKA.
ADVOCATES FOIR THE 1ST RESPONDENT.