IN THE HIGH COURT FOR ZAMBIA **2026/HP/EP/028**

AT THE PRINCIPAL REGISTRY

HOLDEN AT LUSAKA

(Constitutional Jurisdiction)

IN THE MATTER OF:	**ARTICLE 1(2), (3), 8(c), (d), (e) AND 9(1)(b) OF THE CONSTITUTION OF ZAMBIA, CHAPTER ONE OF THE LAWS OF ZAMBIA**
IN THE MATTER OF:	**ARTICLE 45(1)(a), (2)(a)(b)(c), 73(1) OF THE CONSTITUTION OF ZAMBIA, CHAPTER ONE OF THE LAWS OF ZAMBIA AS READ TOGETHER WITH SECTION 96, 97, 98 AND 99 OF THE ELECTORAL PROCESS ACT No. 35 OF 2016**
IN THE MATTER OF:	**SECTION 81 (1)(a), 83 (1) (a)(d), (2) AS READ TOGETHER WITH THE ELECTORAL CODE OF CONDUCT OF THE ELECTORAL PROCESS ACT No. 35 OF 2016**
IN THE MATTER OF:	**PART III OF THE HIGH COURT (ELECTION PETITION) RULES 2026**
IN THE MATTER OF:	**AN ELECTION PETITION RELATING TO CHIRUNDU CONSTITUENCY PARLIAMENTARY ELECTIONS HELD ON THE 13TH DAY OF AUGUST, 2026**

BETWEEN:

NEVERS MUCHINDU **PETITIONER**

AND

ELECTORAL COMMISSION OF ZAMBIA **1ST RESPONDENT**

JAMES K. MWANJA **2ND RESPONDENT**

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

AFFIDAVIT IN REPLY TO 1ST RESPONDENTS AFFIDAVIT IN OPPOSITION TO AFFIDAVIT VERIFYING FACTS

I, NEVERS MUCHINDU a Zambian national of 232 Medium Cost, Chirundu in the Southern Province of the Republic of Zambia **DO HEREBY MAKE OATH** and **SAY** as follows:

1. That my name, nationality and residential address are as stated above.
2. That I have read the 1st Respondents Affidavit in Opposition to Affidavit Verifying Facts (herein after referred to as **"Affidavit in Opposition"**) and wish to respond as follows:
3. That the contents of paragraph 1 to 5 of the Affidavit in Opposition are not in dispute.
4. That the contents of paragraph 6 of the Affidavit in Opposition are disputed in so far as they relate to the elections being free and fair and aver that the elections were not free and fair due to violations of the law.
5. That the contents of paragraph 7 of the Affidavit in Opposition are not in dispute.
6. That the contents of paragraph 8 and 9 of the Affidavit in Opposition are disputed and I add that recounts should have been ordered following the serious irregularities raised through the objections.
7. That I deny the contents of paragraph 10 of the Affidavit in Opposition as the 2nd Respondent was not duly elected.
8. That I deny the contents of paragraph 11 and 12 of the Affidavit in Opposition as they were violations of the law as the process of the elections is littered with irregularities.
9. Further to paragraph 8, I am advised by my Advocates and verily believe the same to be true that this Petition has merit.
10. That I depose to the above verily believing the same to be true and correct in all aspects.

SWORN BY the said)

NEVERS MUCHINDU at Lusaka)

this 14 day of Sept 2026)

DEPONENT

BEFORE ME: _____

COMMISSIONER FOR OATHS

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
14 SEP 2026
COMMISSIONER FOR OATHS
P.O. BOX 50067, LUSAKA

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HOLDEN AT LUSAKA

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REPUBLIC OF ZAMBIA HIGH COURT OF ZAMBIA 14 SEP 2026 PRINCIPAL REGISTRY P.O. BOX 50067, LUSAKA.

PETITIONER'S REPLY TO 1ST RESPONDENT'S ANSWER

1. The contents of paragraph 1 to 4 of the 1st Respondent's Answer (herein after referred to as "Answer") are not in dispute.
2. The contents of paragraph 4 of the Answer are not disputed save to state that the Petitioner shall establish the averments therein contained.

3. The contents of paragraph 5 and 6 of the Answer are denied and the Petitioner restates the averments in paragraph 4 (s) to (w), (x) and (y) of the Petition.
4. The contents of paragraph 7 of the Answer are denied and the Petitioner restates the averments in support.
5. The Petitioner denies the contents of paragraph 8 of the Answer and retorts that he is entitled to the reliefs sought.

PETITIONER

Drawn by: .....

Messrs. Kamwi Andeleki Legal Practitioners
Stand No. 7431, 8th Floor, 801B Western Wing
Premium House, Independence Avenue
P.O. Box 37619
LUSAKA
Email: kamwiandelekilegalpractitioners@hotmail.com
ADVOCATES FOR THE PETITIONER