IN THE HIGH COURT OF ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Civil Jurisdiction)

2026/HP/EP/ 026

IN THE MATTER OF: PARLIAMENTARY PETITION RELATING TO THE PARLIAMENTARY ELECTIONS FOR MPULUNGU SOUTH CONSTITUENCY HELD ON 13TH AUGUST 2026.

IN THE MATTER OF: THE CONSTITUTION OF ZAMBIA, THE CONSTITUTION OF ZAMBIA ACT, CHAPTER 1 OF THE LAWS OF ZAMBIA AS AMMENDED.

IN THE MATTER OF: ARTICLES 1, 2, 5, 8, 9 ,45, 46, 47, 48 ,49, 50, 54, 70, 71, 72, AND 73 OF THE CONSTITUTION OF ZAMBIA, CONSTITUTION ACT, CHAPTER 1, VOLUME 1, OF THE LAWS OF ZAMBIA.

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
28 AUG 2026
PRINCIPAL REGISTRY
P.O. BOX 50067, LUSAKA

IN THE MATTER OF: SECTIONS 29, 37, 38, 55, 68, 72, 77, 81, 83, 84, 86, 89,94, AND 95 OF THE ELECTORAL PROCESS (ELECTORAL CODE OF CONDUCT) NO. 35 OF 2016 OF THE LAWS OF ZAMBIA.

IN THE MATTER OF: SECTION 96, 97, 98, 99, 100, 106, 107 AND 108 OF THE ELECTORAL PROCESS (ELECTORAL CODE OF CONDUCT) NO. 35 OF 2016 OF THE LAWS OF ZAMBIA.

IN THE MATTER OF: THE ELECTORAL CODE OF CONDUCT 2016

IN THE MATTER OF: RULE 9 OF THE HIGH COURT (ELECTION PETITION) RULES 2026, SI NO. 31 0F 2026

AND
IN THE MATTER OF: THE ELECTION OF TEDDY CHAMA MUTALE AS MEMBER OF PARLIAMENT FOR MPULUNGU SOUTH CONSTITUENCY IN MPULUNGU DICTRICT.

BETWEEN:

NJENJE CHIZU — PETITIONER

AND

TEDDY CHAMA MUTALE — 1ST RESPONDENT

ELECTORAL COMMISSION OF ZAMBIA — 2ND RESPONDENT

ELECTION PETITON

THE PETITION of one **NJENJE CHIZU** a Zambian National Resident Kabangwe area,

Great North Road, in the District and Province of Lusaka of the Republic Zambia

SHOWETH that:

1. Your Petitioner states that he was a candidate in the Mplulungu South Constituency Parliamentary election held on the 13th August, 2026 in the Northern Province of the Republic of Zambia where he was contesting to be elected as member of Parliament (MP) under the ticket of the United Party for National Development (UPND). The petitioner claims to have had a right to be elected in the position of Member of Parliament for the aforesaid constituency at the abovementioned elections.

2. Your Petitioner initiates these proceedings to petition the 1st and 2nd Respondents, through this Honourable Court, as a member of the public and as a participant in the 13th August, 2026 general elections, seeking

redress of grievances regarding the manner in which the aforesaid elections were conducted.

3. Your petitioner states that in addition to the Petitioner the following persons were also vying to be elected as a member of parliament for Mpulungu South Constituency in the election referred to in paragraph 1 above; that is to state;

    a) Teddy Mutale- NRPUP

    b) Lewis Chizu - CF

    c) Leornard Mbao - INDEPENDENT

4. Your Petitioner states that on the 15th of August 2026, the Returning officer from the Electoral Commission of Zambia (ECZ) Mr Mwanza Wilfred Sunny Declared the 1st Respondent as having been duly elected as Member of Parliament for Mpulungu South Constituency on his supposedly obtaining 5,293 votes
5. Your Petitioner states that he was declared as having Four thousand two hundred and Ninety-Nine (4299) votes, while the other contestants got the following results;

    a. Leornard Mbao – 4570 Votes

    b. Lewis Chizu – 197 votes

6. Your Petitioner will aver that the said election was conducted by the 2nd Respondent, the Electoral Commission of Zambia (ECZ) who has the mandate to do so.

7. Your Petitioner states that during the campaign period the National Reconciliation party for unity and prosperity (NRPUP) team including the 1st Respondent by himself or through his agents did engage in vote buying by giving money and fish to voters in exchange for their vote.

8. The Petitioner also states that during the same campaign and on the day of the said election period the 1st Respondent by himself of through his agents attacked the Petitioner and his team and even detained the Petitioners District Chairperson the night before elections.

9. That the officers of the 1st Respondent and his campaign team colluded with the independent candidate and officers of the 2nd Respondent and the Zambia Police Service officers to intimidate his supporters and voters even kidnapped some of the Petitioners supporters.

10. The Petitioner therefore states that contrary to the declaration by the Returning Officer that the 1st Respondent was duly elected, the 1st Respondent was not validly elected for the reasons hereunder:

Grounds Relied on:

And Your Petitioner says that;

11. Your Petitioner states that the Electoral Commission of Zambia (ECZ) refused, neglected or omitted to issue any form GEN 20 in some areas in my constituency.
12. Your Petitioner further states that other constituencies where not given copies of the form Gen 20 at all while some constituencies received pre-signed and filled form Gen 20 before the counting of votes took place.
13. Your petitioner states that the ECZ's refusal to issue Form GEN 20 at every stage of the electoral process coupled with the issuing of pre-filled Gen Form 20 deprived the Petitioner opportunity to be granted a free and fair election.

14. Your petitioner will further aver that the said Presiding Officers with knowledge and consent or approval of the 1st Respondent and or his agents, deliberately and or fraudulently refused, neglected and or omitted

to perform their role to conduct a transparent, free and fair election to the detriment of your Petitioner.

15. Your Petitioner states that the 1st Respondent and the 2nd Respondent by themselves and or by their agents clandestinely involved themselves misconducts committed in relation to the Mpulungu South Constituency Parliamentary Elections held on the 13th August, 2026, actions which were against the spirit of the Republican Constitution, the Electoral Process Act No. 35 of 2016 and the Electoral Code of Conduct of 2016.

16. Your Petitioner further contends that the servants and/or agents of the 2nd Respondent in collusion with some operatives of the 1st Respondent systematically, deliberately and/or fraudulently refused, neglected and/or omitted to perform their role to conduct a transparent, free and fair election to the detriment of the petitioner.

17. Further The 1st Respondent supporters with his knowledge, consent and or approval perpetuated violence against the Petitioner to the extent of even throwing stones at the petitioner and his supporters causing them to fear for their lives dissuading them from going to vote on the day of elections.

18. Your Petitioner also states that the 1st Respondents supporters with his knowledge and or consent and support in some constituencies such as Vyamba Constituency did enter the polling station and forcibly chased hit people who had lined up to vote in the belief that they were voting for the Petitioner causing them to flee for safety and unable to vote.

19. Your Petitioner states that as a consequence of the aforesaid misconduct committed by the 1st and 2nd Respondent and their agents, the voters in the affected areas and polling stations were prevented from electing a candidate of their preference in the constituency.

Reliefs:

WHEREOF Your Petitioner PRAYS for;

1. A declaration that the election of the 1st Respondent as Member of Parliament for Mpulungu South Constituency is null and void;

2. A declaration that the illegal practices committed by the 1st and 2nd Respondents or their agents affected the election results;

3. A declaration that the Petitioner is the duly elected Member of Parliament for Mpulungu South Constituency;

4. An Order that costs be borne by the Respondents;

5. Any other relief that this Honourable Court may deem fit.

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NJENJE CHIZU

PETITIONER

Dated at Ndola this ..... day of ..... 2026.

MESSRS. CL MUNDIA AND COMPANY

Villa 35 Millenium Village,

Birdcage walk,

Longacres

P.O.Box 35482

LUSAKA

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ADVOCATES FOR THE PETITIONER

To: **THE 1ST RESPONDENT**

TEDDY CHAMA MUTALE

Terry Milling

+260977816622

Off lake view road, High Cost,

Mpulungu

To: **2nd Respondent**

The Chairperson

Electoral Comission of Zambia

Elections House

Haile Selassie Road

Long Acres

Lusaka.