



reference would have been made in accordance with the decision of the Supreme Court in civil Appeal No.7/92 Attorney General vs. Milton Obote Foundation Ltd & another. Counsel for the respondent agreed and suggested that the matter be remitted to the trial court to proceed with the case.

On the other hand, counsel for the petitioner wanted a stay of the reference and to consider the petition.

In our view, the proper course will be to defer the petition and remit the reference to the trial Court to continue with the proceedings as soon as it is practicable and make a reference to this Court if it is justified on evidence before it. We so Order. Constitutional Petition No.4 Of 1997 is stayed in the meantime.

Dated at Kampala this 19th day of November, 1997

**S. T. MANYINDO**  
**DEPUTY CHIEF JUSTICE.**

**G.M OKELLO**

**JUSTICE OF APPEAL**

**J. P BERKO**  
**JUSTICE OF APPEAL**

**S. G. ENGWAU**  
**JUSTICE OF APPEAL.**

**A.TWINOMUJUNI**  
**JUSTICE OF APPEAL.**