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BY ANDANTE OKANYA, 25 APRIL 2012

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The authority's rebuttal is contained in its statement of defence against a suit filed by Makerere on March 16, seeking to recover the money.

Makerere claims the taxes were deducted from its Stanbic Bank Makerere branch account by Kawempe Division, whose docket was under KCCA's predecessor, Kampala City Council.

Makerere claims that when it scrutinised the documents, it discovered that it had been charged sh20.7m for 23 properties that it did not win.

Makerere also claims it was taxed sh19.6m for 24 properties that had been duplicated.

The university asserts that it also analysed the demand notes from 2005 to December 2008 in relation to both the unknown and duplicated properties, which amounted to sh203.3m and not sh246.6m demanded by Kawempe division.

It claims that on May 7, 2010, it paid sh105.2m out of the reconciled sh203.3m, leaving an outstanding balance of sh98m.

Makerere alleges that the division abused its statutory mandate on May 7, 2010 by wrongfully deducting a sum of sh699.9m from the account.

Through its lawyers Kateera and Kagumire Advocates, the university claims the money was deducted after the division obtained a Garnishee order from the Nabweru Chief Magistrate's Court through miscellaneous application number 241 of 2009.

A Garnishee order is a legal procedure by which a creditor can collect what a debtor owes by reaching the debtor's property when it is in the hands of someone other than the debtor.

The university states that in the letter addressed to the senior principal assistant town clerk dated June 22, 2010, it expressed its intention to sue but was ignored.

Makerere is demanding an annual 30% interest on the sh577.9m from May 7, 2010 until full payment. It is also demanding for general damages, to be determined by court plus an annual 12% interest from the date of judgement until payment in full. It also wants to be awarded costs of the suit.

The case file has been allocated to Justice Elizabeth Musoke. However, a hearing date is yet to be fixed.

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