URUKIKO RWISUMBUYE RWA NYARUGENGE, RURI I NYARUGENGE, RUHABURANISHIRIZA MU RUHAME IMANZA Z'IMBONEZAMUBANO KU RWEGO RWA MBERE, RUKIJIJE URU RUBANZA RC 00163/2017/TGI/NYGE NONE KUWA 29/11/2017, MU BURYO BUKURIKIRA:

HABURANA:

Urega: HAVYALIMANA Alphonse, mwene KAMWENUBUSA Marc na NTIBASHIRAKANDI Isodore; TEL +250799225396 , ahagarariwe na Me MASUMBUKO NDE Emile.

Abaregwa:

1. SAFARI Emmanuel, mwne KALIMBA Edouard na MUKAMUSONI Foibi, wavutse mu w'1971, tel +250788306082.

2. **UWAMBAJIMANA Marie** , utuye mu mudugudu wa Karama, akagari ka Nyakabanda, umurenge wa Niboye, akarere ka Kicukiro, Umujyi wa Kigali. TEL +250788306082.

Ikiburanwa: Ordonner le défendeur de respecter ses engagements contractuels et procede la mutation, Condamner le défendeur aux divers frais de justice et Honoraires d'Avocat.

I.IMITERERE Y'URUBANZA

[1] **HAVYALIMANA Alphonse** wahagarariwe na MASUMBUKO NDE Emile**,** yatanze ikirego muri uru rukiko abaregwa ari abavuzwe haruguru asaba ko bategekwa kumukorera mutation y'umutungo ugizwe n'inzu baguze, bagategekwa no kumuha indishyi zinyuranye. Nyuma ariko yo gutanga ikirego cye kuwa 01/03/2017, urega ntiyongeye kugaruka mu rukiko, urubanza rwe ruhabwa itariki y'inama ntegura rubanza ntihagira umuburanyi witaba, rugenda rusubikwa nabwo ntihagira uwitaba, ruhabwa itariki kugirango ruzafatirwe icyemezo, no ku munsi w'urubanza nabwo ntihagira umuburanyi witaba.

[2] *Ikigomba gusuzumwa muri uru rubanza akaba ari ukumenya icyo amategeko ateganya iyo umuburanyi yaregeye urukiko ariko ntakurikirane urubanza rwe.*

II. ISESENGURA RY'IBIBAZO BIGIZE URUBANZA

1. Kumenya icyo amategeko ateganya iyo umuburanyi yaregeye urukiko ariko ntakurikirane urubanza rwe.

[3] Nyuma y'uko **HAVYALIMANA Alphonse** wahagarariwe na MASUMBUKO NDE Emile atanze ikirego mu rukikom kuwa 01/03/2017, ntiyongeye kugaruka mu rukiko, urubanza rwe ruhabwa itariki y'inama ntegura rubanza ntihagira umuburanyi witaba, rugenda rusubikwa

nabwo ntihagira uwitaba, ruhabwa itariki kugirango ruzafatirwe icyemezo, no ku munsi w'urubanza nabwo ntihagira umuburanyi witaba.

[4] Urukiko rukaba rusanga kuba uwareze nyuma y''uko ashyikirije urukiko ikirego cye atarigeze agaragaza umwete wo gukurikirana ikirego cye kuva kuwa 01/03/2017 yatanga ikirego kugeza kuwa 20/11/2017 rushyikirizwa inteko ngo rufatirwe umwanzuro, kandi harebwe uburyo imanza zisigaye zikurikiranwa ku buryo bw'ikoranabuhanga hakaba ntawashidikanya ko yagiye amenya amakuru y'urubanza rwe, rubona nta bushake yagize bwo kurukurikirana urubanza rwe rukaba rwarashaje hakurikijwe ibiteganywa n'ingingo ya kuwa ingingo ya 137 y'Itegeko n° 21/2012 ryo kuwa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi iteganya ko „*Urubanza rwose rwaregewe rugahagarara amezi atandatu (6) rutaburanywe biturutse ku bushake buke bw'urega ntiruba rukiburanishijwe rutongeye gutangirwa ingwate y'amagarama bundi bushya. Naho ingingo y'138 y'iryo tegeko igateganya ko:"Iyo urubanza rwashajishijwe n'uko uwaruregeye yaretse kurukurikirana, uwareze acibwa amagarama yose y'urubanza rwarenze igihe cyo gukurikiranwa.'* Uru rubanza rukaba rusibwe mu manza ziri mu rukiko kuko rwashajishijwe no kutaburanwa.

III. ICYEMEZO CY'URUKIKO

[5] Rwemeje ko rubanza RC 00163/2017/TGI/NYGE rusibwe mu manza ziri mu rukiko kuko uwareze atarukurikiranye, urubanza rwe rukaba rwarashaje.

[6] Rutegetse ko amagarama yatanzwe urukiko ruregerwa ahwanye n'ibyakozwe mu rubanza.

NI UKO RUKIJIJWE KANDI RUSOMEWE MU RUHAME NONE KUWA 29/11/2017.

Umucamanza	**Umwanditsi**
NYIRANSAGUYE Athanasie	**UWIZERA S.Charlotte**
Sé	**Sé**

Byandukuwe nk'uko biri ku cyemezo cy'umwimerere
none kuwa……
n'umwanditsi……