URUKIKO RWISUMBUYE RWA NYARUGENGE RURI KU CYICARO CYARWO I NYARUGENGE, RUBURANISHA IMANZA Z'IMBONEZAMUBANO KU RWEGO RWA MBERE, RUCIYE URUBANZA RC 00568/2017/TGI/NYGE MU BURYO BUKURIKIRA NONE KUWA 24/01/2018.

HABURANA

UREGA :

MUKAMULIGO Philomène mwene KABAYA Leonard na MUKAMBUGUJE Euralie utuye mu mudugudu w'Isangano, akagari ka Gatenga, umurenge wa Gatenga, akarere ka Kicukiro, umujyi wa Kigali.

ABAREGWA:

1. Succession MUTABARUKA Thomas.

2. AB BANK RWANDA.

IKIBURANWA:

Gusaba urukiko ko inzu iri muri parcelle UPI:1/03/02/01/715 yandikwa mu mazina ya MUKAMULIGO Philomène n'umugabo we KAMATALI Jean Paul.

URUKIKO

I. IMITERERE Y'URUBANZA

[1] MUKAMULIGO Philomène yareze Succession MUTABARUKA Thomas na AB BANK RWANDA asaba ko inzu iri muri parcelle UPI:1/03/02/01/715 yandikwa yandikwa mu mazina ye n'umugabo we KAMATALI Jean Paul. MUKAMULIGO Philomène asobanura ko ku itariki ya 17/02/2016 yaguze umutungo urimo inzu iherereye mu kibanza N° UPI:1/03/02/01/715 wa succession MUTABARUKA Thomas hashyirwa mu bikorwa icyemezo cy'umwanditsi mukuru wa RDB cyo guteza ingwate mu cyamunara, kugira ngo hishyurwe umwenda UMUHIRE Délice yari afitiye AB Bank, uwugura amafaranga angana na miliyoni zirindwi (7,000,000frw), yishyura kashi kuri konti nomero 0124100300217 iri muri AB Bank ya RUDAKEMWA Jean Felix (Receiver), ko guhera icyo gihe yirukanse kuri UMUHIRE Délice kugirango amukorere mutation ariko aramubura, yiyambaza Banki yamugurishije uwo mutungo imuha imyirondoro ye yose harimo na terefoni ye aramuhamagara ariko ntiyabasha kumubona, abari baturanye nawe bamubwira ko atuye mu Bibare, agezeyo asanga ngo yisangiye nyina wabo muri UKRAINE, ko yasiragiye inshuro nyinshi ku karere no kubutaka, abagaragariza ikibazo cye bamubwira ko nta kundi cyacyemuka bitanyuze mu nzira y'ubutabera.

[2] Ku munsi w'inama ntegura rubanza AB Bank ntiyitabye, kandi yarahamagajwe mu buryo bukurikije amategeko, ikorwa idahari, mu

iburanisha nabwo ntiyitabye, iburanishwa idahari hashingiwe ku ngingo ya 59 y'itegeko N°21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi.

[3] Ku munsi w'inama ntegurarubaza, UMUHIRE Délice uhagarariye succession MUTABARUKA Thomas ntiyitabye, hemezwa ko ahamagazwa ahatazwi, ku munsi w'iburanisha ntiyitaba, aburanishwa adahari hashingiwe ku ngingo ya 59 y'itegeko N°21/2012 ryavuzwe haruguru.

[4] Muri uru rubanza haragaragazwa niba umutungo uri mu kibanza N°UPI:1/03/02/01/715 wa succession MUTABARUKA Thomas wakwandikwa kuri MUKAMULIGO Philomène n'umugabo we KAMATALI Jean Paul.

II. **ISESENGURA RY'IBIBAZO BIRI MU RUBANZA**

1. ***Ku kibazo cyo kumenya niba umutungo uri mu kibanza N°UPI:1/03/02/01/715 wa succession MUTABARUKA Thomas wakwandikwa kuri MUKAMULIGO Philomène n'umugabo we KAMATALI Jean Paul.***

[5] Mu mwanzuro, MUKAMULIGO asobanura ko hashingiwe kuri raporo ya cyamunara yo kuwa 17/02/2016 igaragaza neza ko umutungo wavuzwe haruguru yawuguze mu cyamunara, hashyirwa mu bikorwa icyemezo cy'umwanditsi mukuru wa RDB cyo guteza cyamunara umutungo wa Succession MUTABARUKA Thomas ihagarariwe na UMUHIRE Délice wari ufite umwenda wa AB Bank, akaba ariwe uwutsindira, akawishyura miriyoni zirindwi (7.000.000frw), ko hashingiwe ku nyandiko umwanditsi mukuru wa RDB yandikiye akarere asaba ko uwo mutungo umwandikwaho, ko hashingiwe ko ariwe ufite ibyangombwa by'umwimerere by'uwo mutungo kandi akaba ariwe uwutuyemo adagushidikanya ko ari uwe, bityo Urukiko rukaba rwabishingiraho rwemeza ko uwo mutungo iri uwabo, ubandikwaho.

[6] Mu nama ntegurarubanza, MUKAMULIGO avuga ko hazasuzumwe niba inzu iri mu kibanza UPI: 1/03/02/01/715 iherereye mu mudugudu w'Isangano, akagari ka Gatenga, umurenge wa Gatenga, akarere ka Kicukiro, umujyi wa Kigali, yakwandikwa ku mazina ye n'ay'umugabo we KAMATALI Jean Paul kuko bayiguze muri cyamunara yabaye kuwa 17/02/2016 hashyirwa mu bikorwa icyemezo cy'umwanditsi mukuru wa RDB cyo guteza cyamunara umutungo wa Succession MUTABARUKA Thomas ihagarariwe na UMUHIRE Délice kuko ariwe muzungura afite wenyine nkuko bigaragara ku masezerano y'ubukode burambye, aho yari abereyemo umwenda AB Bank akaba aribo bawutsindira, akawishyura miriyoni zirindwi (7.000.000frw).

[7] Mu iburanisha, MUKAMULIGO avuga ko inzu asaba ko imwandikwaho yanditse ku UMUHIRE Délice, kandi ari we wayitanzeho ingwate, ari na we wasigaye muri Suuccession ya MUTABARUKA Thomas, ko amakuru yabonye ari uko ariwe mwana wari uhari, iyo nzu ikaba yarayiguze muri cyamunara, ko ibindi bisobanuye mu mwanzuro.

[8] Urukiko rusanga hashingiwe ku ngingo ya 3 y'itegeko N°12/2004 ryo ku wa 12/06/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo, ibyo MUKAMULIGO Philomène asaba ko we n'umugabo we KAMATALI Jean Paul bandikwaho umutungo uri mu kibanza N° UPI:1/03/02/01/715 wa succession Mutabaruka Thomas, kuko yawuguze mu cyamunara, hishyurwa umwenda UMUHIRE Délice yari afitiye AB Bank, byemejwe na RDB nta shingiro byahabwa kubera ko avuga ko UMUHIRE Délice ari we muzungura wenyine wa Mutabaruka Thomas ariko nta kimenyetso abitangira uretse kuvuga ko ari byo yabwiwe no kuba ari we wanditse ku byangombwa by'umutungo nk'uyihagarariye bitavuga byanze bikunze ko ari we muzungura wenyine. Bityo rero kuba MUKAMURIGO yaraguze umutungo muri cyamunara UMUHIRE Délice yarawutanze ho ingwate muri AB BANK bidahagije kugaragaza ko uwo mutungo ari uwa UMUHIRE Délice wenyine kuko icyangobwa cya wo kigaragaza ko ari uwa succession kandi imvugo ze zitavuguruza ibyanditse ku cyangobwa cy'umutungo cyakozwe n'umukozi ubifitiye ububasha hashingiwe ku ngingo ya 13 y'itegeko N°12/2004 rimaze kuvugwa.

III. **ICYEMEZO CY'URUKIKO**

[9] Rwemeye kwakira ikirego cya MUKAMULIGO Philomène, rugisuzumye, rusanga nta shingiro gifite.

[10] Rwemeje ko MUKAMULIGO Philomène n'umugabo we KAMATALI Jean Paul batakwandikwaho umutungo uri mu kibanza N° UPI:1/03/02/01/715 wa succession Mutabaruka Thomas.

[11] Rutegetse ko amafaranga ibihumbi mirongo itanu (50.000frw) MUKAMULIGO Philomène yatanzeho ingwate y'amagarama arega ahwanye n'ibyakozwe mu rubanza.

NI UKO RUCIWE KANDI RUSOMEWE MU RUHAME NONE KUWA 24/02/2018.

INTEKO

SE	SE
MUKAGASANA Marciana	NDATIMANA Narcisse
UMUCAMANZA	**UMWANDITSI**