

PASSAG COMPANY Ltd v. GTBANK Ltd N'UNDI

[Rwanda URUKIKO RW'UBUJURIRE – RCOMAA
00050/2018/CA (Karimunda, P.J., Munyangeri na Ngagi, J.) 26
Mata 2019]

Amategeko agenga amasosiyete – Umunyamigabane – Ububasha bwo kuregera inyungu za sosiyete – Umunyamigabane ushaka kurengera inyungu za sosiyete agomba kubanza kubihherwa uruhushya n'Urukiko – Umunyamigabane wabyemerewe n'Urukiko kuregera inyungu za sosiyete, ntatanga ikirego mw'izina rye bwite ahubwo agitanga mw'izina rya sosiyete abereye Umunyamigabane.

Incamake y'ikibazo: Sosiyete PASSAG COMPANY Ltd hamwe na sosiyete ECOMIL zakoranye amasezerano yo kwishyira hamwe (*joint venture*) maze zibyara sosiyete nshya yitwa ECOMIL-PASSAG Ltd, nukuvuga ko izi sosiyete ebyiri zahujwe zabaye abanyamigabane b'iyi sosiyete nshya. Nyuma yo kwishyira hamwe, batsindiye isoko bahawe na Minagri, bazafatanyaga kurikora, bafungura na konti muri FINA BANK SA ubu yitwa GTBANK RWANDA Ltd, bashyiraho abashyira umukono kuri iyo konti (*signatories*) harimo n'uwitwa Gatarayiha Augustin.

Ikibazo cyavutse ubwo Minagri yaje kwishyura imirimo yakozwe, amafaranga ashirwa kuri konti ya ECOMIL-PASSAG Ltd muri GTBANK RWANDA LTD, maze ayo mafaranga abikuzwa n' umwe mu bashyira umukono kuri iyo konti (*signatories*) witwa Gatarayiha. PASSAG COMPANY Ltd nk'umunyamugabane yareze GTBANK mu Rukiko

rw'Ubucuruzi ivuga ko ayo mafaranga yagombaga gukurwa kuri konti ari uko habonetse imikono y'abantu batatu muri bane bari bafite ububasha bwo kuyakuraho, asaba GTBANK kuyasubiza kuri konti ya sosiyete ECOMIL-PASSAG Ltd. Muri uru rubanza hagobokeshwamo Gatarayiha.

GTBANK RWANDA Ltd yazamuye inzitizi yo kutakira ikirego ivuga ko nta masezerano bafitanye apanye no gukoresha konti nk'umukiriya wayo, naho Gatarayiha we akavuga ko nta nyungu n'ububasha iyi sosiyete ifite bwo gutanga ikirego. Uru rukiko rwaciye urubanza rwemeza ko ikirego kitakiriwe kuko iyo sosiyete nta nyungu n'ububasha ifite bwo gutanga ikirego. PASSAG COMPANY Ltd ntiyishimiye imikirize y'urubanza ijurira mu Rukiko Rukuru rw'Ubucuruzi ivuga ko Urukiko rubanza rwafashe icyemezo rushingiye ku mpamvu zitigeze zigibwaho impaka maze uru Rukiko rwemeza ko ubujurire nta shingiro bufite.

Nanone, PASSAG COMPANY Ltd ntiyishimiye icyo cyemezo ijuririra Urukiko rw'Ikirenga. Urubanza rwimuriwe runaburanishwa mu Rukiko rw'Ubujurire nyuma yamavugurura y'inkiko.

Ivuga ko inkiko zibanza zavuze ko nta bubasha bwo kurega yari ifite, nyamara yari ibufite bushingiye kw'Itegeko ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsu kandi ko idakwiye kuvutswa uburenganzira bwayo kuko igifite inyungu muri "joint venture".

GT Bank Ltd yo ivuga ko PASSAG COMPANY Ltd nta bubasha yari ifite bwo kuregera Urukiko kuko itandukanye na PASSAG ECOMIL Ltd kandi ko kuba PASSAG COMPANY Ltd ari umunyamigabane wa PASSAG-ECOMIL bitayihya

ububasha bwo gutanga ikirego mu izina rya PASSAG ECOMIL.

Gatarayiha avuga ko nta munyamigabane waregera ku giti cye ibya sosiyete abereye umunyamigabane, nawe akaba asanga nta bubasha iyo sosiyete ifite bwo kuregera ibintu bitari ibyayo.

Incamake y'icyemezo: 1. Umunyamigabane ushaka kuregera inyungu za sosiyete agomba kubanza kubihirwa uruhushya n'Urukiko

2. Umunyamigabane wabyemerewe n'Urukiko kuregera inyungu za sosiyete, ntatanga ikirego mw'izina rye bwite ahubwo agitanga mw'izina rya sosiyete abereye Umunyamigabane.

**Ubujurire nta shingiro bufite;
Imikirize y'urubanza rwajuririwe ntihindutse.**

Amategeko yashingiyeho:

Itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, ingingo ya 2,

Itegeko N° 21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, ingingo ya 2,

Itegeko N° 07/2009 ryo ku wa 27/04/2009 ryerekeye amasosiyete, ingingo ya 223 n'iya 224.

Nta manza zifashishijwe.

Ibitekerezo by'abahanga:

J. Héron, Droit judiciaire privé, Paris, Montchrestien, 1991, p. 51.

Urubanza

I.LIMITERERE Y'URUBANZA

[1] PASSAG COMPANY Ltd na Misigaro Louis ukorera imirimo ye y'ubucuruzi ku izina rya ECOMIL bagiranye amasezerano yo guhuza sosiyete zabo (*Joint venture*), bashyiraho sosiyete nshya yitwa ECOMIL-PASSAG Ltd, bemeranywa ko bazafatanyaga isoko bahawe na MINAGRI i Nyamugali, Akarere ka Kirehe, nyuma bafungura konti muri FINA BANK S.A, ubu yitwa GT BANK RWANDA Ltd, bashyiraho n'abasinyateri (*signataires*) barimo uwitwa Gatarayiha Augustin.

[2] Ikibazo cyavutse ubwo ku wa 16/02/2013, hari 72.534.548 Frw, MINAGRI yishyuye ECOMIL-PASSAG Ltd, GT BANK RWANDA Ltd ikayaha Gatarayiha Augustin, PASSAG COMPANY Ltd ivuga ko ayo mafaranga yagombaga gukurwa kuri konti ari uko habonetse imikono y'abantu batatu muri bane bari bafite ububasha bwo kuyakuraho, bituma igana inkiko.

[3] Urubanza rwatangiriye mu Rukiko rw'Ubucuruzi rwa Nyarugenge, PASSAG COMPANY Ltd irega GT BANK RWANDA Ltd yahoze yitwa FINA BANK Ltd isaba ko Urukiko ruyitegeka gusubiza kuri konti ya ECOMIL-PASSAG Ltd amafaranga yavuzwe haruguru, urubanza rugabokeshwamo Gatarayiha Augustin. Mu iburanisha ry'urubanza, GT BANK

RWANDA Ltd yatanze inzitizi isaba ko ikirego cyatanzwe na PASSAG COMPANY Ltd kitakirwa kuko nta masezerano ajyanye no kugira no gukoresha konti nk'umukiriya wayo bafitanye, Gatarayiha Augustin nawe avuga ko nta nyungu n'ububasha iyi sosiyete ifite bwo gutanga ikirego ndetse ko nta n'ikimenyetso igaragaza cy'uko ari sosiyete iriho mu buryo bukurikije amategeko yo mu Rwanda.

[4] Ku wa 19/07/2016, Urukiko rw'Ubucuruzi rwa Nyarugenge rwaciye urubanza RCOM 00445/2016/TC/NYGE, rwemeza ko ikirego cya PASSAG COMPANY Ltd kitakiriwe kuko nta nyungu n'ububasha ifite bwo gutanga ikirego, ruvuga ko icyo iregera atari uburenganzira bwite yavukijwe, ahubwo ari umutungo wa ECOMIL-PASSAG Ltd, kandi ko nk'uko biteganywa mu mategeko y'u Rwanda, umunyamigabane ushaka gutanga ikirego agomba kubanza kubisaba Urukiko. Urukiko rw'Ubucuruzi rwa Nyarugenge kandi, rwemeje ko icyemezo cyo gufatira amafaranga aburanwa cyari cyafashwe gikuweho.

[5] PASSAG COMPANY Ltd ntiyishimiye imikirize y'urubanza, ijuririra Urukiko Rukuru rw'Ubucuruzi ivuga ko Urukiko rubanza rwafashe icyemezo rushingiye ku mpamvu zitigeze zigibwaho impaka mu iburanisha ry'urubanza, ku wa 02/02/2018, urwo Urukiko ruca urubanza N° RCOMA 00461/2017/CHC/HCC, rwemeza ko ubujurire bwa PASSAG COMPANY Ltd nta shingiro bufite, ruyitegeka guha GT BANK RWANDA Ltd na GATARAYIHA Augustin, buri wese, 500.000 Frw y'ikurikiranarubanza n'igihembo cya Avoka, ruhamishaho imikirize y'urubanza rwajuririwe.

[6] PASSAG COMPANY Ltd ntiyishimiye icyemezo cyafashwe n'Urukiko Rukuru rw'Ubucuruzi, ijuririra Urukiko

rw’Ikirenga ivuga ko idakwiye kuvutswa uburenganzira bwayo kuko igifite inyungu muri “*joint venture*” kandi ko itemera inyangikomvugo iha Gatarayiha Augustin uburenganzira bwo kuba “*signataire*” kuri konti ya ECOMIL-PASSAG Ltd, inavuga ko itigeze ihabwa uburenganzira bwo kuyisobanuraho.

[7] Nyuma y’ivugururwa ry’inkiko ubujurire bwayo bwoherejwe mu Rukiko rw’Ubujurire hashingiwe ku biteganywa n’ingingo ya 105 y’Itegeko N° 30/2018 ryo ku wa 02/06/2018 rigena ububasha bw’inkiko.

[8] Urubanza rwaburanishijwe mu ruhame ku wa 05/02/2019, PASSAG COMPANY Ltd ihagarariwe na Me Gabiro David, Gatarayiha Augustin ahagarariwe na Me Pierre Claver Zitoni hamwe na Me Mbarushimana Jean Marie Vianney, GT BANK RWANDA Ltd ihagarariwe na Me Bimenyimana Eric, habanza gusuzumwa inzitizi y’iburabubasha bw’Urukiko rwajuririwe yatanzwe na GT BANK RWANDA Ltd ivuga ko PASSAG COMPANY Ltd yatsinzwe ku mpamvu zimwe ku rwego rwa mbere n’urwa kabiri, ariko Urukiko ruyisuzumye rusanga nta shingiro ifite, rwemeza ko urubanza ruzaburanishwa mu mizi ku wa 27/03/2019. Iyo tariki igeze, urubanza rwaburanishijwe mu ruhame, PASSAG COMPANY Ltd ihagarariwe na Me Muhirwa Ngabo Audace, abandi bahagarariwe nka mbere.

II. IBIBAZO BIGIZE URUBANZA N’ISESENGURA RYABYO

1. Kumenya niba PASSAG COMPANY Ltd yari ifite ububasha bwo kurega

[9] Me Muhirwa Ngabo Audace, uburanira PASSAG COMPANY Ltd, avuga ko Urukiko Rukuru rw'Ubucuruzi rwavuze ko PASSAG COMPANY Ltd nta bubasha bwo kurega yari ifite, nyamara yari ibufite bushingiye ku ngingo ya 2 y'Itegeko N° 21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegets¹ ryakurikizwaga ubwo PASSAG COMPANY Ltd yatangaga ikirego mu Rukiko rw'Ubucuruzi rwa Nyarugenge. Avuga ko Urukiko Rukuru rw'Ubucuruzi rutagombaga gushingira gusa ku Itegeko rigenga amasosiyete, ahubwo ko rwagombaga no gushingira ku itegeko ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegets¹.

[10] Me Bimenyimana Eric, uburanira GT Bank Ltd, avuga ko PASSAG COMPANY Ltd nta bubasha yari ifite bwo kuregera Urukiko kuko itandukanye na PASSAG-ECOMIL Ltd. Avuga ko kuba PASSAG COMPANY Ltd ari umunyamigabane wa PASSAG-ECOMIL bitayihira ububasha bwo gutanga ikirego mu izina rya PASSAG-ECOMIL nk'uko inkiko zibanza zabibonye zishingiye ku ngingo ya 223 y'Itegeko ryagengaga amasosiyete, akaba asanga nta kosa Urukiko Rukuru rw'Ubucuruzi rwakoze rwemeza ko PASSAG COMPANY Ltd nta bubasha yari ifite bwo kuregera Urukiko rw'Ubucuruzi rwa Nyarugenge.

[11] Me Zitoni Pierre Claver uhagarariye Gatarayihira Augustin, avuga ko yemeranya n'ibyo Me Bimenyimana Eric

¹ Iyi ngingo yahindutse iya 3 mu Itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegets¹.

avuga, akongeraho ko ashingiye ku ngingo ya 23 y'Itegeko rigenga amasosiyete y'ubucuruzi, nta munyamigabane waregera ku giti cye ibya sosiyete abereye umunyamigabane. Me Mbarushimana Jean Marie Vianney nawe uhagaririye Gatarayiha Augustin, avuga ko yemeranya na bagenzi be kuko asanga nta bubasha PASSAG COMPANY Ltd yari ifite bwo kuregera ibintu bitari ibyayo.

UKO URUKIKO RUBIBONA

[12] Ingingo ya 2, igika cya mbere, y'Itegeko N° 21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi yakurikizwaga ubwo PASSAG COMPANY Ltd yatangaga ikirego iteganya ko: *“Ikirego nticyemerwa mu nkiko iyo urega adafite ububasha, inyungu n'ubushobozi bwo kurega”*.

[13] Naho ingingo ya 2, agace ka 7°, y'Itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi isobanura ububasha nk'uburenganzira umuntu ahabwa n'amategeko akabukoresha arengera inyungu iye n'iyi mu rukiko cyangwa yumvikanisha ibyo asaba cyangwa arwanya ibisabwa n'undi.

[14] Abahanga mu mategeko nabo basobanura ububasha nk'uburenganzira bwo kuregera inkiko buhabwa umuntu wese ubona ko uko ahagaze bishobora guhungabanywa n'ishyirwa mu bikorwa ry'ingingo runaka y'itegeko². Bivuze ko kugira ngo

² (... que soit habilitée à former une demande toute personne dont la situation est susceptible d'être affectée par l'application d'une règle de droit), J. Héron, *Droit judiciaire privé*, Paris, Montchrestien, 1991, p. 51.

ikirego cyakirwe mu rukiko urega agomba kuba afite inyungu aharanira ku giti cye, itaziguye kandi irengerwa n'amategeko.

[15] Ku birebana n'uru rubanza, inyandiko zigize dosiye zigaragaza ko MINAGRI yakoranye amasezerano na ECOMIL-PASSAG Ltd, mu rwego rwo gushyira mu bikorwa ayo masezerano, ku wa 16/02/2013 iyishyura 72.534.548Frw, bukeye bwaho aya mafaranga atwarwa na Gatarayiha Augustin ayahawe na ECOMIL-PASSAG Ltd. Ibi nibyo byatumye PASSAG COMPANY Ltd iregera Urukiko rw'Ubucuruzi rwa Nyarugenge irusaba ko rwategeka FINA BANK (GT BANK RWANDA Ltd) gusubiza amafaranga yavuzwe kuri konti ya ECOMIL-PASSAG Ltd.

[16] Urukiko rurasanga, amafaranga aburanwa yari umutungo wa ECOMIL-PASSAG Ltd, kandi ari nayo yafashe icyemezo cyo kuyaha Gatarayiha Augustin, bivuze ko ari yo yari ifite ububasha bwo kuba yarengera (droit d'agir) umutungo wayo igihe haba hari impamvu cyangwa umuntu uwo ari wese waba agiye kuwuhungabanya. Urukiko rurasanga nk'uko inkiko zabanje zabibonye, PASSAG COMPANY Ltd nta bubasha yari ifite bwo gutanga ikirego ku giti cyayo kandi umutungo yaregeraga wari uwa ECOMIL-PASSAG Ltd, ikaba rero nta burenganzira bwite bwayo yavukijwe.

[17] Urukiko rurasanga nanone, nk'uko inkiko zibanza zabibonye, ingingo ya 223 y'Itegeko N° 07/2009 ryo ku wa 27/04/2009 ryerekeye amasosiyete ryakurikizwaga ubwo PASSAG COMPANY Ltd yatangaga ikirego iteganya ko : "I sosiyete, umwe mu bagize Inama y'ubutegetsi cyangwa umwe mu banyamigabane ashobora gusaba urukiko gutanga ikirego

mu izina no mu nyungu z'isosiyete cyangwa z'isosiyete iyishamikiyeho”, iyi ngingo yumvikanisha neza ko umunyamigabane (PASSAG COMPANY Ltd) ashobora gutanga ikirego mu izina rya sosiyete (ECOMIL-PASSAG Ltd) ariko yabanje kubisaba urukiko rukabimwemerera, bikaba bigaragara ko PASSAG COMPANY Ltd itubahirije ibiteganywa n'ingingo yibukijwe haruguru kuko yatanze ikirego mu izina ryayo bwite, aho kugitanga mu izina rya ECOMIL-PASSAG Ltd.

[18] Urukiko rurasanga nanone, ingingo ya 224 yemerera umunyamigabane w'isosiyete cyangwa uwahoze ari we gutanga ikirego arega sosiyete, abagize Inama y'Ubutegetsu cyangwa umwe mu bayigize cyangwa umukozi mukuru kubera kutubahiriza inshingano zo kurengera inyungu z'abanyamigabane, PASSAG COMPANY Ltd nabyo ikaba itarabyubahirije, kuko aho kurega abateganywa muri iyi ngingo kubera kutubahiriza inshingano zo kurengera inyungu z'abanyamigabane, yareze GT BANK RWANDA Ltd isaba kugira uruhare ku mutungo wa ECOMIL PASSAG Ltd.

[19] Urukiko rurasanga ibyo uburanira PASSAG COMPANY Ltd avuga ko Urukiko Rukuru rw'Ubucuruzi rutagombaga gushingira gusa ku Itegeko rigenga amasosiyete, ahubwo rwagombaga no gushingira ku Itegeko ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsu nta shingiro byahabwa, kuko usibye ko nta cyarubuzaga kurishingiraho igihe ritanga igisubizo, n'iyo ruza gushingira ku Itegeko ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsu nta cyari guhinduka, kuko n'ubundi PASSAG COMPANY Ltd

nta bubasha ihabwa n'iryo tegeko bwo kuregera umutungo wa ECOMIL-PASSAG Ltd.

[20] Urukiko rurasanga kandi ibyo uburanira PASSAG COMPANY Ltd avuga ko bitari ngombwa ko iyi sosiyete, yanditse mu gihugu cya Kenya, isaba uburenganzira bwo kurega undi munyamigabane, nabyo nta shingiro bifite kuko ingingo ya 223 y'Itegeko N° 07/2009 ryo ku wa 27/04/2009, ryibukijwe haruguru nta rengayobora (exception) ishyiraho kuri sosiyete z'inyamahanga.

[21] Hashingiwe ku biteganywa n'ingingo z'amategeko no ku bisobanuro bimaze gutangwa, Urukiko rurasanga PASSAG COMPANY Ltd itarubahirije ibisabwa n'amategeko kugira ngo yemererwe gutanga ikirego mu izina rya ECOMIL-PASSAG Ltd, bityo akaba nta kosa Urukiko Rukuru rw'Ubucuruzi rwakoze rwemeza ko imikirize y'Urukiko rw'Ubucuruzi rwa Nyarugenge yo kutakira ikirego cya PASSAG COMPANY Ltd idahindutse.

2. Kumenya ishingiro ry'amafaranga asabwa muri uru rubanza

[22] Me Muhirwa Ngabo Audace, uburanira PASSAG COMPANY Ltd, asaba ko PASSAG COMPANY Ltd yahabwa 10.000.000Frw kubera gukomeza kwimwa uburenganzira bwayo ku mafaranga yavukijwe, 3.000.000Frw y'igihembo cya Avoka ziyongera ku yo bari basabye mbere, yose hawe akaba 6.000.000Frw na 2.000.000Frw y'ikurikiranarubanza. Avuga ko indishyi abo baburana basaba nta shingiro zifite, kandi ko nta mpamvu yazo kuko ari bo bashoye PASSAG COMPANY Ltd mu manza. Akomeza

[23] Me Bimenyimana Eric, Me Zitoni Pierre Claver na Me Mbarushimana Jean Marie Vianney bavuga ko indishyi PASSAG COMPANY Ltd isaba nta shingiro zifite, kuko n'ibyo iregera zishingiyeho nta shingiro bifite.

[24] Me Bimenyimana Eric avuga ko mu gihe Urukiko rwagumishaho urubanza rwaciwe n'Urukiko Rukuru rw'Ubucuruzi, rwagera GT BANK Ltd 1.000.000Frw y'igihembo cya Avoka.

[25] Me Zitoni Pierre Claver, uburanira Gatarayiha Augustin, nawe avuga ko mu gihe Urukiko rwagumishaho urubanza rwaciwe n'Urukiko Rukuru rw'Ubucuruzi, rwagera uwo aburanira 5.000.000Frw y'igihembo cya Avoka, bikaba bikosora ibyo bari basabye mbere.

UKO URUKIKO RUBIBONA

[26] Ingingo ya 111 y'Itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi iteganya ko: *“Ikirego cy'amafaranga y'ikurikiranarubanza ni ikirego gishamikira ku kirego cy'iremezo kigamije kwishyura ibyakoreshejwe mu rubanza. Ikirego cy'amafaranga y'ikurikiranarubanza kiburanishirizwa rimwe n'ikirego cy'iremezo. Gishobora kandi kwakirwa kikanaburanishwa n'iyoyikirego cy'iremezo cyaba kitakiriwe”*.

[27] Urukiko rurasanga indishyi zitandukanye PASSAG COMPANY Ltd isaba itazihabwa kuko itsinzwe uru rubanza.

[28] Urukiko rurasanga GT BANK RWANDA Ltd na Gatarayiha Augustin hari ibyo batanze kugira ngo urubanza barezwemo ruburanwe bitewe n'ubujirire bwa PASSAG COMPANY Ltd, kuba rero ubu bujirire nta shingiro bufite, PASSAG COMPANY Ltd igomba guha GT BANK RWANDA Ltd 1.000.000Frw y'igihembo cya Avoka n'ikurikiranarubanza yasabye kuri uru rwego kuko akwiye, ikanaha Gatarayiha Augustin 1.000.000Frw y'igihembo cya Avoka n'ikurikiranarubanza kuri uru rwego, akaba agenwe mu bushishozi bw'Urukiko, kuko 5.000.000Frw asaba atagaragaza ko ariyo yagiye kuri uru rubanza.

III. ICYEMEZO CY'URUKIKO

[29] Rwemeje ko ubujirire bwa PASSAG COMPANY Ltd nta shingiro bufite;

[30] Rwemeje ko imikirize y'urubanza RCOMA 00461/2017/CHC/HCC rwaciwe n'Urukiko Rukuru rw'Ubucuruzi ku wa 02/02/2018 idahindutse;

[31] Rutegetse PASSAG COMPANY Ltd guha GT BANK RWANDA Ltd na Gatarayiha Augustin 1.000.000Frw y'igihembo cya Avoka n'ikurikiranarubanza, buri wese, kuri uru rwego;

[32] Ruvuze ko amagarama y'urubanza ahwanyeye n'ibyakozwe.