RADIANT INSURANCE COMPANY LTD v MUKABERA

[Rwanda URUKIKO RW'IKIRENGA - RS/INJUST/RC 00005/2023/SC (Cyanzayire, P.J., Kalihangabo, Kazungu, J.) 12 Nyakanga 2024]

Amategeko agenga imanza z'imbonezamubano – Impanuka zitewe n'ibinyabiziga – Indishyi mbangamirabukungu - Inyandiko yatanzwe n'Ubuyobozi bw'inzego z'ibanze si ikimenyetso gihamya ko abaregera indishyi bahabwaga ibibatunga mu buryo buhoraho na nyakwigendera, mu gihe idaherekejwe n'ibimenyetso bifatika nk'impapuro zo kwa muganga zerekana niba umuntu afite ubumuga, bordereau za banki zoherezwagaho amafaranga, message za mobile money n'ibindi. Icyakora, iyo nyandiko ishobora kuba yihagije ubwayo, mu gihe yakozwe hashingiwe ku buhamya bwatangiwe mu nteko y'abaturage y'aho aba.

Incamake y'ikibazo: Niyonsaba wari utwaye igare ava Nyabugogo yerekeza mu Gatsata yagonzwe n'imodoka ifite ubwishingizi bwa Radiant Insurance Company Ltd (Radiant) ahita apfa. Abamukomokaho barimo n'umubyeyi we witwa Mukabera begereye umwishingizi basaba indishyi ariko ntibababasha kumvikana batanga ikirego mu Rukiko Rwisumbuye rwa Gasabo basaba indishyi, Urukiko rubagenera indsihyi zitandukanye zirimo n'indishyi mbangamirabukangu zahawe Mukabera.

Radiant ntiyishimiye imikirize y'urwo rubanza irujuririra mu Rukiko Rukuru ivuga ko hatanzwe indishyi mbangamirabukungu kandi nyakwigendera nta bantu yari atunze ndetse n'umubyeyi we atabashije kugaragaza ibimenyetso bifatika byerekana ko yari atunzwe na nyakwigendera. Urukiko Rukuru rwaciye urubanza rwemeje ko nta gihindutse ku rubanza rwajuririwe. Radiant yaje kujya mu nzira z'akarengane maze urwo rubanza ruhabwa Urukiko rw'Ikirenga rwongera kuruburanisha hasuzumwa ikibazo cyo kumenya niba Mukabera yagenerwa indishyi z'ibangamirabukungu.

Radiant isobanura ko inshingano y'uko abana bagomba gufasha ababyeyi babo atari itegeko ahubwo ko babafasha mu gihe batishobpye andi bamaze kugaragaza ko bakeneye ubwo bufasha. Ikomeza ivuga ko kuri Mukabera atabashije kugaragaza ko yari atunzwe na Niyonsaba kuko n'icyemezo yatanze cy'umudugudu kidafite ibindi bimenyetso bigaragaza ko yari atunzwe na nyakwigendera.

Mukabera we avuga ko nyakwigendera yari afaite umurimo uzwi wo kunyonga igare ko ibyo byamuhaga ubushobozi bwo kubasha gutanga ibitunga umubyeyi we. Yongera ho kandi ko kuba ariwe wari umuhererezi iwabo, no kuba yari mu cyiciro cy'ubudehe kimwe n'umubyeyi we, atari ibimenyetso bihamya ko atari kubahiriza inshingano yo kumutunga mu gihe abikeneye nkuko bigaragazwa n'icyemezo cy'inzego z'ibanze cyatanzwe n'umudugudu.

Incamake y'icyemezo: Inyandiko yatanzwe n'Ubuyobozi bw'inzego z'ibanze si ikimenyetso gihamya ko abaregera indishyi bahabwaga ibibatunga mu buryo buhoraho na nyakwigendera, mu gihe idaherekejwe n'ibimenyetso bifatika nk'impapuro zo kwa muganga zerekana niba umuntu afite ubumuga, bordereau za banki zoherezwagaho amafaranga, *message* za *mobile money* n'ibindi. Icyakora, iyo nyandiko ishobora kuba yihagije ubwayo, mu gihe yakozwe hashingiwe ku buhamya bwatangiwe mu nteko y'abaturage y'aho aba.

Imikirize y'urubanza rwaciwe n'Urukiko Rukuru irahindutse;
Nta ndishyi z'ibangamirabukungu zigomba gutangwa.

Amategeko yashingiweho
Itegeko Nº 32/2016 ryo ku wa 28/08/2016 rigenga abantu n'umuryango, ingingo ya 255;
Iteka rya Perezida Nº 31/01 ryo ku wa 25/08/2003 rishyiraho uburyo bwo kwishyura indishyi ku bubabare bw'umubiri buturutse ku mpanuka zitewe n'ibinyabiziga, ingingo ya 22.

Imanza zifashishijwe
RS/INJUST/RC 00018/2022/SC, Niyonzima n'abandi na Sanlam Assurance Générales Plc rwaciwe n'Urukiko rw'Ikirenga ku wa 27/01/2023;
RS/INJUST/RC 00021/2022/SC, Mukagatare Régine na bagenzi na SANLAM AG Plc rwaciwe n'Urukiko rw'Ikirenga ku wa 17/03/2023;
RCAA 0049/14/CS, SORAS AG Ltd na UMUHOZA Pacifique, rwaciwe n'Urukiko rw'Ikirenga ku wa 25/11/2016;
RS/INJUST/RC 00006/2023/SC, SANLAM AG Plc na Ndishutse Samuel rwaciwe n'Urukiko rw'Ikirenga ku wa 05/04/2024.

Urubanza

I. IMITERERE Y'URUBANZA

[1] Ku wa 15/09/2020, Niyonsaba Daniel wari utwaye igare mu muhanda Nyabugogo – Gatsata, yagonzwe n'imodoka ya Fuso Mitsubishi RAD 627S ajyanwa ku bitaro bya CHUK, ku wa 21/09/2020 arapfa; iyo modoka ikaba yari ifite ubwishingizi muri RADIANT INSURANCE COMPANY Ltd (RADIANT muri uru rubanza). Mukabera Françine nyina wa nyakwigendera n'abavandimwe be bane (4) basabye RADIANT kubaha indishyi mu bwumvikane, ntibashobora kumvikana, bituma bayirega mu Rukiko Rwisumbuye rwa Gasabo. Mukabera Françine yasabaga guhabwa indishyi z'akababaro zingana na 1.080.000 Frw, indishyi z'ibangamirabukungu zingana na 7.807.229 Frw, n'amafaranga anyuranye yakoresheje kwa muganga no mu gikorwa cyo gushyingura. Buri muvandimwe wa nyakwigendera yasabaga guhabwa 540.000 Frw.

[2] RADIANT yireguye ivuga ko indishyi z'akababaro zisabwa ari umurengera, ko nta ndishyi z'ibangamirabukungu zatangwa kuko nta bimenyetso bifatika bigaragaza ko ari nyakwigendera wari utunze umubyeyi we, kandi ko n' icyemezo kivuga ko nyakwigendera yari umunyonzi nta gaciro cyahabwa kuko kitatanzwe n'ishyirahamwe ry'abanyonzi yakoreragamo. Ku bijyanye n'amafaranga yakoreshejwe, RADIANT yavuze ko yemera kwishyura 9.200 Frw yishyuwe ibitaro, 12.000 Frw yaguze ibyangombwa, na 200.000 Frw yakoreshejwe mu gushyingura; naho andi ikaba itemera kuyatanga kuko nta bimenyetso bigaragaza ko yatanzwe.

[3] Ku wa 07/10/2021, Urukiko Rwisumbuye rwa Gasabo rwaciye urubanza Nº RC 00006/2021/TGI/GSBO, rutegeka RADIANT guha Mukabera Françine 7.264.574 Frw y'indishyi z'ibangamirabukungu na 810.000 Frw y'indishyi z'akababaro; igaha na buri muvandimwe wa nyakwigendera 540.000 Frw y'indishyi z'akababaro. Rwayitegetse kandi gutanga amafaranga yakoreshejwe harimo 9.200 Frw yishyuwe ibitaro, 200.000 Frw yakoreshejwe mu ishyingura,

8.500 Frw yaguze dosiye y’impanuka (P.V.de constat) na 12.000 Frw yakoreshejwe mu gushaka ibyangombwa.

[4] RADIANT yajuririye Urukiko Rukuru, ivuga ko Urukiko rwageneye Mukabera Françine indishyi z’ibangamirabukungu kandi nyakwigendera yari ingaragu, nta n’ibimenyetso bifatika bigaragaza ko ari we wari umutunze mu buryo buhoraho. Urukiko Rukuru rwaciye urubanza No RCA 00286/2021/HC/KIG ku wa 30/09/2022, rwemeza ko nta gihindutse ku rubanza rwajuririwe.

[5] Urukiko Rukuru rwasobanuye ko inshingano yo guhana ibibatunga ku mwana n’umubyeyi, igihe umwe muri bo abikeneye, ishingiye ku mategeko bikaba bidasabirwa ikimenyetso; bikaba bitanasaba ko usabwa gutanga ibitunga undi aba afite ubushobozi burenze ubw’ugenerwa inshingano. Kuba rero nyakwigendera yari afite umurimo ushobora kumufasha kubahiriza iyo nshingano, RADIANT ntigaragaza ikimenyetso cyari cyarayimukuyeho, kandi ariwe mwana yari asigaranye mu rugo.

[6] Nyuma y’uko Urukiko Rukuru ruciye urwo rubanza, RADIANT yandikiye Perezida w’Urukiko bw’Ubujurire isaba ko urubanza Nº RCA 00286/2021/HC/KIG, rwaciwe n’Urukiko Rukuru ku wa 30/09/2022, rwasubirwamo ku mpamvu z'akarengane. Perezida w’Urukiko rw’Ubujurire amaze gusuzuma ubwo busabe, yohereje Perezida w’Urukiko rw’Ikirenga raporo yarukozeho, maze nawe amaze kubisuzuma yemeza ko urwo rubanza rwongera kuburanishwa, ruhabwa Nº RS/INJUST/RC 00005/2023/SC.

[7] Urubanza rwaburanishijwe mu ruhame ku wa 04/06/2024, RADIANT ihagarariwe na Me Nyirangirimana Astérie, naho abaregwa bahagarariwe na Me NSENGIMANA Emmanuel, bamenyeshwa ko ruzasomwa ku wa 12/07/2024. Hasuzumwe ikibazo cyo kumenya niba Mukabera Françine yaragombaga kugenerwa indishyi z’ibangamirabukungu kubera umwana we wishwe n’impanuka.

II. IBIBAZO BIGIZE URUBANZA N’ISESENGURWA RYABYO

Kumenya niba Mukabera Françine yagenerwa indishyi z’ibangamirabukungu

[8] RADIANT ivuga ko ingingo ya 255, igika cya kabiri, y’Itegeko Nº 32/2016 ryo ku wa 28/08/2016 rigenga abantu n’umuryango, iteganya ko umwana agomba guha agaciro ababyeyi be, kububaha no kubaha ibibatunga igihe babikeneye; iyo ngingo ikaba isa n’iya 200 y’Igitabo cya mbere cy’urwunge rw’amategeko mbonezamubano yasobanuwe n’Urukiko rw’Ikirenga mu rubanza Nº RCAA 0049/14/CS rwaciwe ku wa 25/11/2016, aho rwavuze ko abana bagomba gufasha abo bakomokaho igihe batishoboye. RADIANT ivuga ko icyumvikana ari uko umwana afasha umubyeyi igihe atishoboye cyangwa abikeneye, bitandukanye n’ibyo umucamanza yavuze ko izo nshingano ziriho ku bw’itegeko.

[9] RADIANT ivuga kandi ko mu rubanza Nº RS/INJUST/ RC 00021/22/SC rwaciwe n’Urukiko rw’Ikirenga ku wa 17/03/2023 haburana Mukagatare Regine na SANLAM AG Plc, Urukiko rwemeje ko abari batunzwe n’uwahohotewe aribo bahabwa indishyi z‘ibangamirabukungu, uwo murongo ukaba uhura neza n’ibiteganywa n’ingingo ya 22, igika cya

mbere, y'Iteka rya Perezida Nº 31/01 ryo ku wa 25/8/2003 rishyiraho uburyo bwo kwishyura indishyi ku bubabare bwo ku mubiri zikomoka ku mpanuka zatewe n'ibinyabiziga.

[10] RADIANT isobanura ko Urukiko rwageneye Mukabera Françine indishyi z'ibangamirabukungu rwirengagije ko hagomba kugaragazwa ko umwana wapfuye yari yishoboye kurenza umubyeyi we, runirengagiza ko Niyonsaba Daniel yapfuye ari ingaragu, nta bikorwa bifatika bigaragaza ko ari we wari utunze umubyeyi we mu buryo buhoraho, cyane cyane ko yari umuhererezi mu bana benshi, atagira akazi kazwi, atagira n'umusaruro uzwi yinjiza. RADIANT yongeraho ko hakwiye kugaragazwa ibimenyetso bifatika, nk'impapuro zigaragaza aho yoherezaga amafaranga kuri konti cyangwa kuri telefoni, cyangwa aho yamwishyuriye kwa muganga.

[11] RADIANT isoza isaba ko indishyi z'ibangamirabukungu zagenewe Mukabera Françine zakurwaho, agategekwa gusubiza 7.264.574 Frw yari yarahawe mu rwego rwo kurangiza urubanza rusabirwa gusubirwamo ku mpamvu z'akarengane, kugirango hatabaho kwikungahaza mu buryo bunyuranyije n'amategeko (enrichissement sans cause), cyangwa kwakira ubwishyu atagenewe (payement de l'indû).

[12] Mukabera Françine avuga ko urega yatsinzwe no kubura ibimenyetso by'ibyo yaregeraga, kandi Urukiko rukaba rwaragennye indishyi z'ibangamirabukungu rugendeye ku kuba Niyonsaba Daniel yaragonzwe atwaye igare, akora akazi k'ubunyonzi, akaba yari afite umurimo ushobora gutuma yuzuza inshingano zo gufasha umubyeyi we. Avuga ko kuba nyakwigendera ariwe wari umuhererezi iwabo, no kuba yari mu cyiciro cy'ubudehe kimwe n'umubyeyi we, atari ibimenyetso bihamya ko atari kubahiriza inshingano yo kumutunga. Yongeraho ko iby'umurongo watanzwe n'Urukiko rw'Ikirenga bitakurikizwa muri uru rubanza, kuko watanzwe mu 2023 mu gihe uru rubanza rwaciwe ku wa 30/09/2022. Ku bijyanye n'amafaranga 7.264.574 yahawe harangizwa urubanza rusabirwa gusubirwamo ku mpamvu z'akarengane, avuga ko atagomba gusubizwa kuko nta karengane kabayeho.

[13] Asoza avuga ko nk'uko Urukiko Rukuru rwabisobanuye, umwana agomba guha agaciro ababyeyi be, kububaha no kubaha ibibatunga igihe babikeneye, kandi ko usabwa ishingano yo gutanga ibitunga undi bidasaba ko aba afite ubushobozi burenze ubw'ugenerwa inshingano, ko ahubwo usabwa inshingano ayubahiriza igihe uyisaba abikeneye.

UKO URUKIKO RUBIBONA

[14] Ingingo ya 255 y'Itegeko Nº 32/2016 ryo ku wa 28/08/2016 rigenga abantu n'umuryango, mu gika cyayo cya 2, iteganya ko umwana agomba guha agaciro ababyeyi be, kububaha no kubaha ibibatunga igihe babikeneye.

[15] Ingingo ya 22, igika cya mbere, y'Iteka rya Perezida Nº 31/01 ryo ku wa 25/08/2003 rishyiraho uburyo bwo kwishyura indishyi ku bubabare bw'umubiri buturutse ku mpanuka zitewe n'ibinyabiziga, iteganya ko […] abafite uburenganzira ku buryo bwumvikana ko bari batunzwe n'uwahohotewe n'impanuka aribo bonyine bashobora guhabwa indishyi (seuls les ayants- droits justifiants qu'ils étaient à charge de la victime peuvent être indemnisés).

[16] Izi ngingo zombi zasesenguwe mu rubanza Niyonzima Léonidas na bagenzi be baregagamo Sanlam Assurance Générales Plc (SANLAM AG Plc), rwaciwe n'Urukiko rw'Ikirenga ku wa 27/01/2023. Muri urwo rubanza, Urukiko rwasobanuye ko kuba hagati y'ababyeyi n'abana barengeje imyaka y'ubukure, inshingano yo guhana ibibatunga ibaho gusa iyo usaba ibimutunga abikeneye, byumvikanisha ko kugira ngo abihabwe agomba gutanga ibimenyetso by'uko akeneye ibimutunga, ndetse ko ubisabwa abifitiye ubushobozi[1].

[17] Urukiko rwasobanuye kandi ko ku birebana no kwishyura indishyi zikomoka ku rupfu rwatewe n'impanuka yo mu muhanda, imyandikire y'ingingo ya 22 y'Iteka rya Perezida ryavuzwe igaragaza neza ko zigenerwa gusa uwari atunzwe n'uwapfuye. Urukiko rwagaragaje ko ibi byumvikanisha ko n'ubwo amategeko ateganya abafite inshingano yo gutunga abandi iyo babikeneye, ikigenderwaho cy'ibanze hasuzumwa niba umuntu afite uburenganzira ku ndishyi z'ibangamirabukungu, ari ukuba agaragaza ko yari atunzwe koko n'uwapfuye, bivuze ko agomba kubitangira ibimenyetso[2].

[18] Ibisobanuro byatanzwe mu rubanza Niyonzima Léonidas na bagenzi be baregagamo SANLAM AG Plc, byagarutsweho mu rubanza N° RS/INJUST/RC 00021/2022/SC rwaciwe n'Urukiko rw'Ikirenga ku wa 17/03/2023, Mukagatare Régine na bagenzi be baburanye na SANLAM AG Plc[3], bikaba bigaragaza neza ko kugirango umubyeyi asabe indishyi z'ibangamirabukungu kubera urupfu rw'umwana we, agomba gutanga ibimenyetso byerekana ko ariwe wari umutunze.

[19] Ku birebana n'uru rubanza, ikimenyetso cyatanzwe na Mukabera Françine kigaragaza ko nyakwigendera Niyonsaba Daniel ariwe wari umutunze, ni inyandiko yatanzwe n'Umuyobozi w'Umudugudu ku wa 15/10/2020. Ibijyanye n'agaciro kahabwa bene iki kimenyetso, byasobanuwe mu rubanza No RCAA 0049/14/CS rwaciwe n'Urukiko rw'Ikirenga ku wa 25/11/2016[4]; binagarukwaho mu rubanza N° RS/INJUST/RC 00021/2022/SC rwaciwe ku wa 17/03/2023 rwavuzwe haruguru[5], ndetse no mu rubanza No RS/INJUST/RC 00006/2023/SC rwaciwe ku wa 05/04/2024, SANLAM AG PLc yaregagamo Ndishutse Samuel n'abandi[6]. Muri izo manza, Urukiko rwagaragaje ko inyandiko yatanzwe n'Umuyobozi w'Umurenge atari cyo kimenyetso gihamya ko abaregera indishyi bahabwaga ibibatunga mu buryo buhoraho (régulièrement) na nyakwigendera, mu gihe idaherekejwe n'ibimenyetso bifatika nk'impapuro zo kwa muganga zerekana niba umuntu afite ubumuga, bordereau za banki zoherezwagaho amafaranga, message za mobile money n'ibindi.

[20] Uru Rukiko rurasanga hari igihe inyandiko yatanzwe n'ubuyobozi bw'inzego z'ibanze ishobora kuba yihagije ubwayo nk'ikimenyetso kigaragaza ko nyakwigendera ariwe wari utunze usaba indishyi, mu gihe yakozwe hashingiwe ku buhamya bwatangiwe mu nteko y'abaturage

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[1] Urubanza N° RS/INJUST/RC 00018/2022/SC rwaciwe n'Urukiko rw'Ikirenga ku wa 27/01/2023, Niyonzima Léonidas na bagenzi be baregagamo Sanlam Assurance Générales Plc, igika cya 20.
[2] Ibidem, igika cya 21.
[3] Urubanza N° RS/INJUST/RC 00021/2022/SC rwaciwe n'Urukiko rw'Ikirenga ku wa 17/03/2023, Mukagatare Régine na bagenzi be baregagamo SANLAM AG Plc, igika cya 28.
[4] Urubanza No RCAA 0049/14/CS, rwaciwe n'Urukiko rw'Ikirenga ku wa 25/11/2016, haburana SORAS AG Ltd ubu yahindutse SANLAM AG Plc, na UMUHOZA Pacifique na bagenzi be, igika cya 19 na 20.
[5] Urubanza N° RS/INJUST/RC 00021/2022/SC, op. cit., igika cya 29.
[6] Urubanza N° RS/INJUST/RC 00006/2023/SC rwaciwe n'Urukiko rw'Ikirenga ku wa 05/04/2024, haburana SANLAM AG Plc na Ndishutse Samuel na bagenzi be, igika cya 30 na 31.

y'aho aba. Koko rero, abaturanyi b'usaba indishyi baba bazi neza imibereho ye ya buri munsi, bakaba bashobora kwemeza niba ari nyakwigendera wari umutunze.

[21] Hakurikijwe ibimaze kuvugwa mu bika bibanza, Urukiko rurasanga ikimenyetso cyatanzwe na Mukabera Françine kigizwe n'inyandiko y'Umuyobozi w'Umudugudu yemejwe n'Umunyamabanga Nshingwabikorwa w'Akagari, kidahagije mu kwemeza ko yari atunzwe na nyakwigendera Niyonsaba Daniel mu gihe nta kindi kigishyigikiye; kikaba rero kitashingirwaho mu kumugenera indishyi z'ibangamirabukungu.

[22] Ku byaburanishijwe na Mukabera Françine ko umurongo watanzwe n'Urukiko rw'ikirenga utakoreshwa ngo kuko watanzwe mu 2023, kandi urubanza aburana rwaraciwe ku wa 30/09/2022, Urukiko rusanga bitahabwa ishingiro kuko urubanza avuga ko rwaciwe ku wa 30/09/2022 arirwo rwasubirishijwemo ku mpamvu z'akarengane, hakaba nta cyabuza gukoresha umurongo watanzwe rutaracibwa. Ikindi kandi, urubanza rwaciwe mu 2023 ni urwo Mukagatare Régine na bagenzi be baregagamo SANLAM AG Plc, rukaba rwarashimangiye umurongo wari waramaze gutangwa mu rubanza N^{o} RCAA 0049/14/CS rwaciwe n'Urukiko rw'Ikirenga ku wa 25/11/2016.

[23] Hashingiwe ku bisobanuro byose byatanzwe, Urukiko rurasanga Mukabera Françine atagenerwa indishyi z'ibangamirabukungu, bityo ikirego cyatanzwe na RADIANT kikaba gifite ishingiro. Kubera ko Mukabera Françine yari yaramaze guhabwa 7.264.574 Frw harangizwa urubanza rwasabiwe gusubirwamo ku mpamvu z'akarengane nk'uko impande zombi zibyemeranywaho, Urukiko rurasanga agomba kuyasubiza RADIANT.

Kumenya ishingiro ry'indishyi zisabwa mu rubanza

[24] Mukabera Françine asaba ko RADIANT yamuha 1.000.000 Frw, akubiyemo amafaranga y'igihembo cy'Avoka angana na 500.000 Frw, n'ay'ikurikiranarubanza angana na 500.000 Frw, kubera gushorwa mu manza ku maherere.

[25] Nyirangendahimana Claudine, Mukashyaka Florentine, Sekanabo François na Sibomana Jean nabo basaba ko RADIANT yabaha amafaranga 1.000.000 akubiyemo ay'igihembo cy'Avoka angana na 500.000 Frw, n'ay'ikurikiranarubanza angana na 500.000 Frw, kubera gukomeza kubasiragiza mu manza.

[26] RADIANT ivuga ko indishyi zisabwa zitatangwa kuko ariyo yarenganyijwe mu gihe hagenwaga indishyi z'ibangamirabukungu.

UKO URUKIKO RUBIBONA

[27] Urukiko rurasanga indishyi Mukabera Françine asaba atazihabwa kuko atsinzwe urubanza. Ku bijyanye n'indishyi Nyirangendahimana Claudine, Mukashyaka Florentine, Sekanabo François na Sibomana Jean basaba RADIANT, Urukiko rurasanga batazihabwa kuko atari RADIANT yabazanye mu rubanza, ahubwo barujemo hashingiwe ku ngingo ya 63 y'Itegeko N° 30/2018 ryo ku wa 02/06/2018 rigena ububasha bw'inkiko, iteganya ko ababaye ababuranyi mu rubanza rusubirishwamo ku mpamvu z'akarengane bose bahamagazwa.

III. ICYEMEZO CY'URUKIKO

[28] Rwemeje ko ikirego rwashyikirijwe na RADIANT INSURANCE COMPANY Ltd cyo gusubirishamo ku mpamvu z'akarengane urubanza Nº RCA 00286/2021/HC/KIG rwaciwe n'Urukiko Rukuru ku wa 30/09/2022, gifite ishingiro;

[29] Rwemeje ko imikirize y'urubanza Nº RCA 00286/2021/HC/KIG rwaciwe n'Urukiko Rukuru ku wa 30/09/2022, ihindutse kuri byose;

[30] Rwemeje ko nta ndishyi z'ibangamirabukungu Mukabera Françine yagombaga kugenerwa;

[31] Rumutegetse gusubiza RADIANT INSURANCE COMPANY Ltd 7.264.574 Frw yahawe harangizwa urubanza rwasabiwe gusubirwamo ku mpamvu z'akarengane.