HILLARIOUS HOUSING COOPERATIVE versus AMOS KANENDE

HIGH COURT OF ZIMBABWE MUREMBA J HARARE, 26-28 October 2015 and 1 June 2016

Civil Trial

F.G. Gijima, for the plaintiff A. Mugiya, for the defendant

MUREMBA J: I completed this trial on 28 October 2015 and the defendant's counsel who ought to have submitted his closing submissions by 20 November 2015, only did so on 22 February 2016 after numerous reminders by the Registrar. This behaviour by the defendant's counsel is deplorable and should be condemned in the strongest terms. This delay in submitting the defendant's closing submissions caused the delay in the writing of this judgment. I do hope that Mr *Mugiya* will desist from this behaviour in future.

The plaintiff is seeking an order for the eviction of the defendant and all those claiming occupation through him from stand No. 455 Retreat Farm, Waterfalls, Harare. The basis of the plaintiff's claim is that it is the lawful holder of rights and interests in the property and that it allocated this stand to its member Felliot Musanzika.

In his plea the defendant disputed the plaintiff's claim that it is the lawful holder of the stand in question. He pleaded that this stand was allocated to him by Mr T. Nkomo who is the Chairman of the Apex Board as well as the Chairman of Lakeview Housing Cooperative. The defendant stated that the Apex Board is the mother of all co-operative societies. The defendant further stated that several stands were allocated to co-operatives in 2008 and at that time the plaintiff was not yet in existence, so the stand in question could not have been allocated to it.

The issue for determination is whether or not the plaintiff is entitled to evict the defendant.

The plaintiff's Evidence

To prove its case the plaintiff led evidence from Sikumbuzo Munyawarara, Antony Muchato and Ezekiel Karimanzira.

Sikumbuzo Munyawarara's evidence was as follows. She is the chairperson of the plaintiff. The witness produced the certificate of registration for the plaintiff. It shows that the plaintiff was registered on 29 January 2013. She said that the dispute involves stand no. 455 of stand no 315 Retreat Township, Waterfalls. Stand No. 315 which is the main stand was initially Retreat farm which was later acquired by the State. It was then allocated to Harare South Housing Union by the Ministry of Small and Medium Enterprises and Co-operative Development (the Ministry of SMES). This witness also produced a letter dated 6 August 2012 which emanated from the Ministry of Local Government and addressed to Harare South Housing Union confirming the allocation of stand No. 315 Retreat Township, Waterfalls to it. Harare South Housing Union having been allocated this farm divided it and made block allocations to different co-operative societies. The witness said that when block allocations are made to co-operative societies such allocations are confirmed by the Ministry of Local Government, Public Works and National Housing (the Ministry of Local Government). From the blocks allocated to them, the co-operative societies then allocate individual stands to its members. So after being allocated blocks of stands from Stand no. 315 the plaintiff allocated Stand no. 455 to its member.

Sikumbuzo Munyawarara produced a letter on p 29 of exh 1. The letter is dated 4 June 2014. It was written by one K. Chikotera on behalf of the Acting Secretary for the Ministry of Local Government, Public Works and National Housing. It was addressed to Mr T. Nkomo as the Chairman of Lakeview Housing Cooperative. The subject matter of the letter was the "ownership of stands 345-356, 367-374, 381-385, 388-395, 400-443, 444-611, 6824-6874, 2227-2232, 4173-4215 Retreat Township." The letter was saying that the Secretary's office had received complaints from the plaintiff in connection with the mentioned stands which were allocated to it by Harare South Housing Union Cooperative Society. The letter was therefore advising Mr T. Nkomo that according to the records submitted by the plaintiff, these stands belong to it. As such Lakeview Housing Cooperative which is headed by Mr. T Nkomo was being advised to leave these stands for occupation by members of the plaintiff.

This witness disputed that the defendant was allocated stand no.455 of 315 by the Apex Board arguing that the Apex Board does not have the mandate to allocate stands. She said that its role is to supervise the cooperative societies. She further said that although the

chairman of the Apex Board used to be Tonderai Nkomo it is now Mr. Karimanzira following Tonderai Nkomo's removal from chairmanship. The witness produced a letter dated 7 August 2012, which is on p 31 of exh 1 which was written by Harare South Housing Union and addressed to the Secretary for the Ministry of SMES. In that letter the chairpersons of various co-operatives were informing the secretary that they had dissolved the management of the Apex Board for the Retreat Project because they were discontented with the way the project was being administered by the Board chairman Mr T. Nkomo. Harare South Housing Union was asking the Ministry to urgently come and preside over the election of a substantive committee.

She went on to produce another letter which is at p 36 of exh 1 which she said is confirmation that Tonderai Nkomo is no longer the chairperson of the Apex Board. The letter is dated 11 December 2013. It was written by K. Muchandisiye on behalf of the Acting Secretary for the Ministry of Small and Medium Enterprises and Co-operative Development and was addressed to Tonderai Nkomo. It says,

"Following a meeting which was held on 20 March 2013 and a subsequent meeting which was held in the presence of Ministry officials confirming legality of new committees you are being requested to handover certificate, by-laws and other relevant properties belonging to Harare South Housing Apex Co-operative Society Limited to the new management under the leadership of Ezekiel Karimanzira."

The witness said that this letter is proof that Tonderai Nkomo was removed from the chairmanship of the Apex Board on 20 March 2013, yet the defendant was then allocated this stand on 17 May 2013, by Tonderai Nkomo as the head of the Apex Board when in actual fact he was no longer chairman thereof.

Under cross-examination the witness was challenged to produce the document which clearly shows that the stand in dispute was allocated to the plaintiff. She said that the documents which she produced in her evidence in chief were proof enough. The witness denied that the Apex Board which is known as Harare South Housing Union is the one that was granted rights over stand 315 by the Ministry of Local Government. She explained that Harare South Housing Union and the Apex Board are 2 different entities. She said that the Apex Board used to allocate land before the introduction of housing co-operatives but from the time housing co-operatives came in force it no longer has that mandate. She said that the Apex Board is an entity which is above or higher than Harare South Housing Union (the Union).

The witness was made to refer to a Partnership Agreement which was entered into by and between the Ministry of Local Government and an entity called Harare South Housing Union (Apex Board) for the development of residential, commercial and industrial stands on stand 315 Retreat Township. It was signed on 2 August 2012 and it shows that Tonderai Nkomo signed as a witness for Harare South Housing Union (Apex Board). In terms of this document it is apparent that the name Harare South Housing Union (Apex Board) is a mixture of both the Union and the Apex Board thereby making it difficult to understand which entity between the Union and the Apex Board entered into the partnership agreement with the Ministry of Local Government for the development of stands on Stand 315 Retreat Township. Evidence from witnesses who testified later shows that the mix up in the name later caused an ownership wrangle over the Partnership Agreement between the Union and the Apex Board. Each was now claiming ownership thereof.

Antony Muchato's evidence was as follows. He is the chairman of Harare South Housing Union Co-operative Society Limited which is commonly called the Union. The plaintiff and other co-operative societies are members of the Union. The Union is the one which allocates stands to co-operative societies and administrates the general business of co-operative societies. It conducts elections and the running of co-operatives. There are 18 housing co-operatives under the Union. He said that above the Union there is what is called Harare South Housing Apex Co-operative Ltd which is commonly called the Apex Board whose role is to supervise the operations of Unions and reporting the progress of Unions to the Ministry of Local Government. He said that the Apex Board does not allocate stands. It is the role of the Unions to do so. He said Unions are given land by the Ministry of Local Government and in turn they allocate to co-operative societies. After allocations are made to co-operative societies, these allocations are confirmed by the ministry of Local Government. He said that the Ministry of SMES' role is to register co-operative societies, unions, apexes and federations. It also supervises the running of co-operative societies to ensure that they are properly run.

The witness said that stand 355 which is in dispute was allocated to the plaintiff by his Union. He also referred to the same exhibits that were referred to by Sikumbuzo Munyawarara, the first witness. He said that the letter on p 29 of exh 1 was specifically written to Tonderai Nkomo because he was the one who was doing double allocation of stands which had been allocated to the plaintiff. He confirmed that at one time Tonderai Nkomo was the chairman of Harare South Housing Apex Co-operative Ltd which is

commonly called the Apex Board. He said that Tonderai Nkomo as the Chairman of the Apex Board in 2012 had no right to allocate stands to individuals because, as already stated, the Apex Board does not allocate stands either to individuals or to cooperatives. He said that even the Partnership Agreement which was signed by and between the Ministry of Local Government and the Harare South Housing Union (Apex Board) did not empower Tonderai Nkomo as the then chairman of the Apex Board to allocate stands to anyone.

His evidence on Tonderai Nkomo having been replaced by Mr. Karimanzira as the new Apex Board chairman was similar to the evidence of Sikumbuzo Munyawarara. The witness further said that Tonderai Nkomo is now the chairman of Lakeview Cooperative Society and as such he has no authority to allocate stands belonging to another cooperative society.

Antony Muchato said that he has heard of what is called Harare South Housing Cooperative Association. He said this name came from Tonderai Nkomo who refers to it as the Apex Board, but it is not an official Apex Board because it is not a registered Apex Board. He said that the registered Apex Board is the one which is led by Mr. Karimanzira. He said that he has dealt with Tonderai Nkomo's unregistered Apex Board in various court cases cited below. This witness produced a number of court orders and judgments which were marked as exh 2 to 7 which he said show that Tonderai Nkomo's Apex Board was involved in a lot of litigation with his Union as it (Tonderai Nkomo's Apex Board) tried to control and interfere with the Union's activities on stand 315 Retreat Township, but it lost all the cases to the Union. The witness said that in these cases the so called 'Apex Board' was being represented by Tonderai Nkomo as the chairman. In HC 7547/13 the 'Apex Board' was the applicant and its application was dismissed. In HC 8530/13 the 'Apex Board' was the plaintiff and it ended up withdrawing its claim. In HC 413/14 the 'Apex Board' was the applicant and its application was dismissed because it had failed to show locus standi in the matter. In HC 1807/15 the Union was the applicant and it successfully obtained a provisional order against Tonderai Nkomo and others, barring them from interfering with the Union's activities on stand 315 Retreat Township. The provisional order was subsequently confirmed on the return date. In exh 7 Tonderai Nkomo had this witness arrested and charged with fraud in respect of the Partnership Agreement which was signed between the Ministry of Local Government and Harare South Housing Union (Apex Board). The witness was acquitted of that fraud charge at the close of the State case.

Antony Muchato said that the Partnership Agreement which is on p 23-27 of exh 1 which reflects as having been entered into on 2 August 2012 between the Ministry of Local Government and an entity called Harare South Housing Union (Apex Board) was signed by him representing the Union whilst Tonderai Nkomo only signed as a witness. He said that the entity called Harare South Housing Union (Apex Board) actually meant the Union and not the Apex Board. The witness said that the words "Apex Board" which are in brackets simply meant that Harare South Housing Union was under the Apex Board. He said that it did not mean that the Partnership Agreement was between the Ministry of Local Government and the Apex Board.

The witness said that there is a block allocation letter which his Union gave to the plaintiff which shows or proves that the Union allocated stand 455 of stand 315 Retreat Farm to the plaintiff. He said that nothing supersedes the confirmation letter (on p 29 of exh 1) from the Ministry of Local Government as proof that the stand in dispute was allocated to the plaintiff.

Ezekiel Karimanzira's evidence was as follows. He is the chairman of the Apex Board which is called Harare South Apex Board. He said that he took over chairmanship from Tonderai Nkomo but he could no longer recall exactly when he took over between 2012 and 2013. He said that the Apex Board is not allowed to allocate stands but to supervise Unions. He said that the Partnership Agreement which Sikumbuzo Munyawarara and Antony Muchato referred to is administered by Harare South Housing Union and not by the Apex Board. He corroborated what Antony Muchato said.

The defendant's evidence

The defendant led evidence from two witnesses i.e. from himself and from Tonderai Nkomo.

The defendant's evidence was as follows. He is the owner of stand 455 Retreat Township, Waterfalls. It was allocated to him by Harare South Housing Cooperative Association Apex Board which is headed by Tonderai Nkomo as the chairman. He said that he filled in the Agreement form which is also called the verification form on 17 May 2013. This was produced as exh 8. He said that for him to be allocated this stand he enquired from neighbours and was told that it was the Apex Board which allocated stands and he applied.

Under cross examination, the defendant was asked if he had verified if Harare South Housing Cooperative Association Apex Board was a lawful entity. He said that he had verified from his neighbours.

Tonderai Nkomo's evidence was as follows. He said that he was aware of an entity called Harare South Housing Cooperative Association. He said that this entity has two other names which are Harare South Housing Apex Board and Harare South Housing Apex Cooperative Society Ltd. He said all these 3 names refer to one entity which is commonly called the Apex Board. He said all these names were there when the Apex Board was registered with the Ministry of SMES on 6 June 2006. He produced the registration certificate thereof, but a look at it shows that it bears only one name which is Harare South Housing Apex Cooperative Society Limited.

The witness identified the Partnership Agreement on p 23 of exh 1 which was produced by the plaintiff's witnesses. He said that that Partnership Agreement was further proof of the different names that the Apex Board has. The Partnership Agreement shows that it was entered into by and between the Ministry of Local Government and Harare South Housing Union (Apex Board). He said that it was the Apex Board not the Union which entered into the partnership as what Sikumbuzo Munyawarara and Antony Muchato said. Tonderai Nkomo said that he has been chairman of the Apex Board from the time it was registered in 2006 to date. He said that it is Antony Muchato who signed on behalf of the Apex Board in the Partnership Agreement because he (Antony Muchato) was the treasurer thereof at the time and as the treasurer he was heavily involved in the project since the secretary of the Apex Board was no longer attending meetings due to some misunderstandings which had happened between him and the Member of Parliament of that area. He said that as the chairman of the Apex Board he signed as a witness because he had not been heavily involved in the project. He further said that at the time the Partnership Agreement was entered into, the Union that is being chaired by Antony Muchato had not yet been registered. It is a fact that this Union was only registered on 4 September 2012. Tonderai Nkomo said that as such the Ministry of Local Government could not have entered into a Partnership Agreement with a non-existent entity on 2 August 2012. He said that as such stand 315 Retreat Township is supposed to be administered by the Apex Board (Harare South Housing Apex Cooperative Society Ltd) in terms of the Partnership Agreement. He said that problems with the administration of the Partnership Agreement started when Antony Muchato who was the treasurer of the Apex Board and other members left the Apex Board.

He said that Antony Muchato caused an offer letter for property no. 315 Retreat Township to be issued in favour of the Union which he was now heading instead of the Apex Board which he had been treasurer of, which was the entity which had entered into the Partnership Agreement with the Ministry of Local Government.

It was Tonderai Nkomo's evidence that the Apex Board had authority to issue out stands to individuals. He said this started as far back as 2008. He said that examples of individuals who were allocated stands were Civil Servants who were not members of any cooperatives. He said that up until 2011 stands were allocated to individuals. He produced exh 11 which he said was proof that in 2008, 22 Co-operatives were allocated blocks of stands from Stand 315 Retreat Farm and these excluded the plaintiff which had not yet been formed then. He produced the plaintiff's certificate of registration which shows that it was only registered on 29 January 2013. It was produced as exh 12. The list of Cooperatives that were in existence in 2008 which he said were allocated blocks at stand 315 Retreat was produced as part of exh 11.

The witness said that the letter of 4 June 2014 which is on p 6 of exh 1 which was written to him from the office of the Secretary for the Ministry of Local Government which was telling him not to meddle with certain stands including the stand in dispute, stand 455 saying that these stands belong to the plaintiff, is not proof that these stands belong to the plaintiff. He said that letter does not state who told the Minister that these stands were allocated to the plaintiff. He said that it is the City of Harare which allocates blocks of stands to Cooperative Societies.

The witness confirmed that it was his Apex Board which he heads as chairman which issued or allocated the defendant with the stand in dispute. When it was put to him that it is Ezekiel Karimanzira who is now the Chairman of the Apex Board his response was that the Apex Board which he heads is different from the one that is headed by Ezekiel Karimanzira. He said that for an Apex to be formed 25 cooperatives have to come together in terms of the Co-operatives Societies Act [Chapter 24:05] He said that in terms of the said Act what he chairs and calls an Apex Board is not legally recognisable as it does not meet the requirements of the Act. He said that he believes that Ezekiel Karimanzira and his colleagues must have come-up with 25 Cooperatives as is required by the Act in order to form an Apex Board. He said that the Apex Board which is led by Karimanzira is different from the one he has been chairing since 2006. He said that the one which he heads is the one which administers stand 315 Retreat Township in terms of the Partnership Agreement. When he was

asked to name the name his Apex Board uses, he mentioned the three names he mentioned at the beginning of his evidence. Asked what names Ezekiel Karimanzira's Apex Board uses, he said he could not answer the question because he had never seen the names it uses.

Under cross examination the witness said that Retreat Farm became State land on 21 March 2012 as per the court order from the Administrative Court on p 35 of exh 1. After that a Partnership Agreement with the Ministry of Local Government was entered into on 2 August 2012 for the administration of stand 315 Retreat Township. He said the Partnership Agreement is an authentic document which simply formalised what had happened before Retreat Farm was acquired as State land.

He admitted being served with a letter from the Ministry of SMES dated 11 December 2013 instructing him to handover the certificate of registration and other properties of Harare South Housing Apex Co-operative Society Limited to Ezekiel Karimanzira. However, he said that he did not comply with the instruction because his Apex Board and Karimanzira's Apex Board are different.

Tonderai Nkomo said that he is also the Chairman of Lakeview Housing Cooperative. He said that for the defendant to be allocated a stand he had to pay a fee.

Analysis of evidence

Although the plaintiff did not produce the actual letter which proves that stand 455 was allocated to it by the Union it produced a letter from the Ministry of Local Government of 4 June 2014 which was addressed to Tonderai Nkomo telling him to keep off from the stand in dispute. The letter says according to the records the Ministry of Local Government has, this stand belongs to the plaintiff and it was allocated to it by the Union. To buttress the plaintiff's case is the evidence of the Union's chairman, Antony Muchato who said that it is his Union which administers stand 315, Retreat Farm from which stand 455 was allocated to the plaintiff. He also said that once allocations of blocks of stands are made to the different cooperative societies, the Ministry of Local Government keeps the records, and nothing beats or supersedes confirmations of such allocations that are then made by the Ministry of Local Government saying that such a stand has been allocated to such a cooperative society. He said that the letter of 4 June 2014 from the Ministry of Local Government was enough proof that the plaintiff was allocated the stand in dispute.

From the defendant's side, Tonderai Nkomo whose Apex Board allocated the same stand to the defendant argued that the main block ,that is, Stand 315 is under its administration and not under the administration of Antony Muchato's Union. He said that as

such Antony Muchato's Union could not have allocated the stand in dispute to the plaintiff. Clearly Antony Muchato and Tonderai Nkomo are fighting over the administration of Stand 315 Retreat Township. Each one of them went to lengths explaining why he was saying it is his body which has the mandate to administer stand 315. It is apparent from their evidence that there has been an ownership wrangle over stand 315 between these 2 men and the entities they each lead. This is even evidenced by the number of court cases that the two have been involved in against each other. They have been suing each other left, right and centre. In the majority of these cases it is Tonderai Nkomo's Apex Board which has been suing Antony Muchato and his Union. What I have also noticed is that Tonderai Nkomo has not won a single case. However, none of the cases actually dealt with the issue of the ownership wrangle. The ownership wrangle emanates from the Partnership Agreement which was signed by and between the Ministry of Local Government and Harare South Housing Union (Apex Board) wherein both of them signed. Their dispute emanates from this entity called Harare South Housing Union (Apex Board) which is referred to in the Partnership Agreement. The name seems to be a combination of the 2 entities, both the Union and the Apex Board. Antony Muchato claims to have signed on behalf of Union and it is on this basis that he says that the Partnership Agreement is for the Union. Tonderai Nkomo claims that Antony Muchato signed that document in his capacity as the then treasurer of the Apex Board and was thus signing the document on behalf of the Apex Board. He also claimed that Antony Muchato could not have signed the document on behalf of the Union because the Union had not yet been registered at that time.

The issue of the ownership wrangle over Stand 315 Retreat Township between Antony Muchato and Tonderai Nkomo is not the issue that I am supposed to determine. What determines my case is whether or not the Apex Board which is chaired by Tonderai Nkomo is a lawful Apex Board and whether it can lawfully allocate stands.

From the evidence led from the plaintiff's three witnesses it is clear that Tonderai Nkomo is no longer the chairman of the lawful and recognised Apex Board which is registered in the name of Harare South Housing Apex Co-operatives Society Limited. Tonderai Nkomo's committee was dissolved on 7 August 2012. A letter to this effect addressed to the Ministry of SMEs by the Harare South Housing Union was produced. In a letter dated 11 December 2013 from the Acting Secretary for the Ministry of SMES Tonderai Nkomo was directed to hand over "the certificate, by-laws and other relevant properties belonging to Harare South Housing Apex Co-operative Society Limited to the new

management under the leadership of Ezekiel Karimanzira." This confirms the plaintiff's witnesses' evidence that Tonderai Nkomo was replaced as chairman of the Apex Board by Ezekiel Karimanzira. Tonderai Nkomo admitted having received this letter. He even said that he did not comply with the instruction to do the handover. It is therefore clear that when Tonderai Nkomo said that there are 2 Apex Boards that exist, he simply meant that after he had refused to hand over to Ezekiel Karimanzira the certificate for registration and all other properties pertaining to Harare South Housing Apex Co-operatives Society Limited Housing, he continued to run an illegal Apex Board which he now calls Harare South Housing Co-operative Association (Apex Board). However, he did not produce a certificate of registration in this name. His averment was that his Apex Board has 3 names. That averment is unconvincing in the absence of proof of certificates of registration to that effect. What is apparent is that Ezekiel Karimanzira continued to lead the lawful Apex Board.

Tonderai Nkomo tried to explain that there are two Apex Boards, the one that he leads and the one that is led by Ezekiel Karimanzira. I do not buy this explanation. If the explanation was true, the Ministry of SMES would not have written a letter instructing him (Tonderai Nkomo) to do a handover of the certificate of registration and other properties of Harare South Housing Apex Co-operatives Society Limited to Ezekiel Karimanzira's new committee. In addition to that there would also be 2 different registration certificates for the 2 apex boards instead of one. Tonderai Nkomo cannot claim to be heading an apex board whose registration certificate is in the name of the apex board which is headed by Ezekiel Karimanzira. Clearly, Tonderai Nkomo's apex board is illegal. In any case, in his own words Tonderai Nkomo said that the apex board that he leads is not actually an apex board in terms of the Co-operatives Societies Act because it is not properly constituted. If it is not properly constituted it cannot be registered. This explains why it has not been registered and this is why Tonderai Nkomo is using the certificate of registration for the apex board that is being chaired by Ezekiel Karimanzira. He is taking advantage that he refused to hand over the certificate of registration and other documents to Ezekiel Karimanzira as he was instructed to do by the Ministry of SMES.

The apex board led by Tonderai Nkomo being illegal, nothing that it does is lawful. It cannot therefore lawfully allocate stands to anyone, be it to cooperatives or even to individuals. So even if the Apex Board had the authority to allocate stands to cooperatives and individuals, the Apex Board headed or chaired by Tonderai Nkomo cannot lawfully do so because it is not a lawful apex board. It is not registered with the Ministry of SMES as it does

not meet the requirements of the law. Without being registered it cannot do anything that is lawful. It follows therefore that the allocation of stand 455 to the defendant by Tonderai Nkomo's Apex Board was and is illegal. The allocation was made on 17 May 2013, at a time when Tonderai Nkomo had already been stripped of his powers as the chairman of Harare South Housing Apex Co-operative Society Limited according to the letter from the Ministry of SMES dated 11 December 2013. Ezekiel Karimanzira's chairmanship was confirmed on 20 March 2013. So if by 20 March 2013, Tonderai Nkomo was no longer chairman of the lawful apex board, he could not on 17 May 2013, (2 months later) lawfully allocate a stand to the defendant or to any other person. The defendant cannot therefore have any lawful claim in the stand in dispute. That juxtaposed against a letter from the Ministry of Local Government dated 4 June 2014, which says its records shows that the stand in dispute belongs to the plaintiff, leaves me with no choice, but to rule in favour of the plaintiff. I am convinced that the plaintiff managed to prove its case on a balance of probabilities.

It is therefore ordered as follows:

- The defendant and any persons claiming occupation through him be and are hereby ordered to vacate the property known as stand 455 Retreat Township, Waterfalls, Harare within 10 days from the date of this order.
- 2) In the event that the defendant fails to comply with paragraph 1, the Sheriff be and is hereby authorised to evict him or any persons claiming occupation through him.
- 3) The defendant be and is hereby ordered to pay costs of suit.

F.G. Gijima, plaintiff's legal practitioners Mugiya & Macharaga Law Chambers, defendant's legal practitioners