

**IN THE COURT OF APPEAL OF TANZANIA
AT DAR ES SALAAM**

**(CORAM: RAMADHANI, AG. C.J.; MROSO, J.A. And
NSEKELA, J.A.)**

CIVIL APPEAL NO. 91 OF 2003

BETWEEN

**21ST CENTURY FOOD AND PACKAGING LTD.
APPELLANT**

VERSUS

- 1. TANZANIA SUGAR PRODUCERS ASSOCIATION...1ST
RESPONDENT**
- 2. THE MINISTRY OF FINANCE OF THE TANZANIA
GOVERNMENT 2ND
RESPONDENT**
- 3. THE HON. ATTORNEY GENERAL 3RD
RESPONDENT**

**(Appeal from the decision of the High Court
of Tanzania, Commercial Division)**

(Kalegeya, J.)

**dated the 6th day of November, 2003
in
Commercial Case No. 85 of 2003**

ORDER

RAMADHANI, AG. C.J.:

Upon being moved by the letter of Ms. Jessie S. Mnguto learned counsel for the respondent, and considering the fact that our decision of 25th February, 2004, departed from a

chain of previous decisions of this Court on which the learned counsel for the respondent relied upon in raising the preliminary objection, the Court vacates its previous order as to costs and orders that each party to bear its own costs.

DATED at DAR ES SALAAM this 15th day of June, 2005.

A.S.L. RAMADHANI
AG. CHIEF JUSTICE

J.A. MROSO
JUSTICE OF APPEAL

H.R. NSEKELA
JUSTICE OF APPEAL

I certify that this is a true copy of the original.

(S.M. RUMANYIKA)
DEPUTY REGISTRAR