

IN THE COURT OF APPEAL OF TANZANIA

AT DAR ES SALAAM

CIVIL APPLICATION NO. 165 OF 2016

JOSEPH SHUMBUSHOAPPLICANT

VERSUS

1. MARY GRACE TIGWERA

2. JAMES RUGAIMUKAMU

3. DAVID RUGAIMUKAMU

.....RESPONDENTS

**(Application for extension of time to Appeal against
the decision of High Court of Tanzania
at Dar es salaam)**

(Juma, J.)

Dated the 3rd day of February, 2012

in

Probate and Adm No. 11 of 2004

RULING

16th & 28th September, 2016

ORIYO, J.A.:

Joseph Shumbusho was appointed the legal representative of the estate of the late Sebastian Rugaimukamu Kakoti Tigwera, who passed away in December 2002. The deceased was the biological father of the applicant and the respondents. Initially, all appeared to be well with the administration of the estate of the deceased by the applicant, who happened to be the eldest child of the deceased.

However, later on; sometime in April, 2009, the respondents felt dissatisfied in the manner that the applicant was administering the estate.

The respondents jointly, returned to the High Court with an application to have revoked the grant of the letters of administration to the applicant.

The prayer was duly granted (Juma J., as he then was); and the grant duly revoked. Thereafter, the respondents were appointed joint administrators of the state; hence these proceedings.

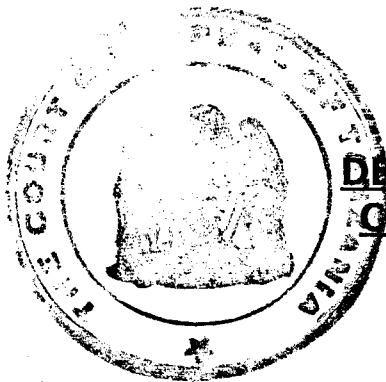
At the hearing of the application, Mr. Audax Vedasto, learned counsel appeared for the applicant. The respondents were represented by Mr. Mbugha Jonathan, learned counsel. Each counsel submitted separately on the consensus reached by the parties in that none of them had objections to the application. Their joint prayer to the Court was, to grant the application to the applicant, without an order for costs.

In the event and in terms of Rule 10 of the Court Rules, extension of time of thirty (30) days is hereby granted to the applicant within which to lodge the appeal. The thirty days period of time to be reckoned from the date the applicant was supplied with the remaining documents for the purpose of the proceedings.

DATED at **DAR ES SALAAM** this 13th day of September, 2016.

K.K. ORIYO
JUSTICE OF APPEAL

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




B. R. Nyaki
DEPUTY REGISTRAR
COURT OF APPEAL