

IN THE HIGH COURT OF TANZANIA
DAR ES SALAAM DISTRICT REGISTRY
AT DAR ES SALAAM

MISCELLANEOUS CIVIL APPLICATION NO.22/95
M/S TRICOR LIMITED CO.....APPLICANT
versus
MINISTER FOR LANDS, HOUSING
AND URBAN DEVELOPMENT1ST RESPONDENT
ATTORNEY GENERAL2ND RESPONDENT
COMMISSIONER FOR LANDS.....3RD RESPONDENT

PROCEEDINGS

26/7/95

Coram: Mapigano, J.

Order: - Matter is to be mentioned on 15/8/1995. Attorney General
to be notified and served with the Chamber Summons.

Sgd. D. P. Mapigano
JUDGE.

15/8/1995

Coram: - V. Msuya, Ag. DR.

Mr. Kalunga - For the Applicant

Mr. Malaba For the Respondent

CC: wanyika

Order: - Mention on 17th August, 1995 before Judge in Chambers.

Sgd. V. Msuya, AG. DR.
15/8/1995

17/8/1995

Coram: Mapigano, J.

Mr. Kalunga for the Applicant

Mr. Salula For the Respondent.

CC: Mrs. wanyika.

Order: - Hearing of the application for leave is set for 24th
August, 1995.

Sgd. D. P. Mapigano
JUDGE
17/8/1995

24/8/1995

Coram: Mapigano, J.

Mr. Kalunga: For the Applicant

Mr. Mallaba for the Respondent.

CC: Nester.

Kalunga:- Application for leave to apply for prerogative orders. Grounds stated in the Statement and affidavit. I submit that prima facie case has been disclosed.

Mallaba: - The application is time-barred. Revocation challenged was made on 1st November, 1991. Period of limitation is 6 months. No application for extension of time. I pray that the application be refused.

Mr. Kalunga: - We have made application for extension of time and paras 15 and 21 of the affidavit is in that respect. It is true the applicant received annexure C in April, 1991.

Mallaba: - What is being challenged is the revocation. Search was made known to applicant in April, 1991.

Order: - Matter is adjourned to 14th September, 1995 to enable Mr. Mallaba to check whether there is actually a revocation of the right.

Sgd. D. P. Mapigano
JUDGE

14/9/1995

Coram: Mapigano, J.

Mr. Kalunga For the Applicant

Mr. Mallaba for the Respondent.

CC: Nester.

Order: - By consent the matter is adjourned to 28th September, 1995.

Sgd. D. P. Mapigano
JUDGE

28/9/1995

Coram: Mapigano, J.

Mr. Kalunga: For the Applicant

Mr. Mwidunda For the Respondent.

CC: Nester (Mrs.)

Mr. Mwidunda:- We have received from the Land Office is that they have failed to trace the
...../3.

records in respect of the cause plot.

Mr. Kalunga:- That is exactly what the Registrar of Titles has told my clients and we strongly believe that the prospects of tracing the records are dim. In the circumstances we feel justified to presume that there has not been any proper revocation of the right of occupancy, and we thus drop this application.

Order: - The application for leave to apply for the prerogative orders is marked dropped.



D. P. MAPIGANO

JUDGE

28 - 9 - 1995