

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

CIVIL REVISION NO.69 OF 2001

MTUMWA BINTI SALUM RAJABU APPLICANT

Versus

JACKSON ZEPHANIA LUDINGIJA RESPONDENT

R U L I N G

CHIPETA, J.:

These revisional proceedings were set in motion to examine the regularity of the order made by the court below to the effect that a status quo be maintained, that is, that each party be restrained from occupying the premises in dispute pending determination of a certain application then before the court.

When the matter was called on for hearing, the court was told that the applicant had died and so the appointment of a legal representative had to be awaited.

Having heard the learned advocates of both sides, I think that the best course is to let the order of the trial court to stand and remain in force. But in order to ensure that the property and anything within it is not exposed to vandalism or waste, it is ordered that the property shall be guarded by security guards. Costs of that duty shall be paid out of the estate of the deceased.

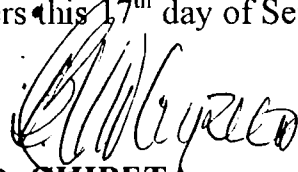
The record of the trial court shall be returned to that court for disposal of any pending questions after a legal representative has been appointed.

It is so ordered. Each party shall bear its own costs.



B. D. CHIPETA
JUDGE

Ruling delivered in Chambers this 17th day of September, 2001.



B. D. CHIPETA
JUDGE
17/9/2001 -