

IN THE HIGH COURT OF TANZANIA
AT DAR ES SALAAM

PC. CIVIL APPEAL NO. 49/03

CHRISTOPHER KASAMBULA APPELLANT

Versus

SALOME MBELE RESPONDENT

R U L I N G

RUGAZIA, J:

This was an appeal filed to challenge the findings of the District Court at Temeke. When the appeal came up for hearing, the appellant prayed for leave to argue the appeal by way of written submissions which prayer was concurred by the Respondent and, subsequently, leave was granted. The appellant was to file his submissions by 21/11/03 with reply to be filed by 26.11.03. For reasons which remain unclear to me, more than three months later the appellant is yet to file the submissions.

In view of this, there is good reason to conclude that the appellant is no longer interested in pursuing his appeal. This realization has left me with no option but to dismiss it with costs for want of prosecution.


P. A. Rugazia

JUDGE

9/03/2004

Ruling delivered. Mr. Koga for respondent. Appellant in person.


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