



**IN THE HIGH COURT TANZANIA  
AT BUKOBA**

(Bukoba Registry)

(PC) CIVIL APPEAL NO. 23 OF 2002

*(Arising from District Court of Karagwe Civil Appeal No 15 of 2001 and original civil case No.5/2001 of Murongo Primary Court)(Before: D. D. Komba Esq., DM)*

**GOZBART PETRO=====APPELLANT**

**VRS**

**TUMSIME AUGUSTINE=====RESPONDENT**

**JUDGMENT**

**LUANDA, J.**

Aggrieved with the decision of the district court in the exercise of its appellate jurisdiction from a civil case filed in Murongo Primary Court, One Gosbert Petro is appealing in this court.

But the records show that this appeal was filed on 27/8/2002 vide ERV 14213472. That was the 60<sup>th</sup> day after the date of the decision. The decision of the district court was handed down on 28/6/2002.

In law (See S. 25 (1) (b) of the MCA, 1984) if one is aggrieved with a decision of a district court in exercising its appellate or revisional jurisdiction from matters originating in primary courts and intends to appeal to this court, he is required to do so within 30 days from the date of the decision. However, if one is late to do so or feels that he would not beat the dead line, he is required to seek leave of this court so that he be allowed to file his appeal after the prescribed period of 30 days. Of course, the onus is upon him to show good cause as to why he is or would be unable to do so.

(2)

The same is dismissed with costs.

B. M. Luanda  
**JUDGE**  
6/8/2004

Judgment delivered in the presence of the parties.

**AT BUKOBA**  
6/8/2004.



**B.M. LUANDA**  
**JUDGE**

