

IN THE HIGH COURT OF TANZANIA

AT DAR ES SALAAM

MISC. CIVIL APPLICATION NO. 2 OF 2007

THADEUS L.MAKOI.....APPLICANT

VERSUS

**NATIONAL INSURANCE CORPORATION
OF TANZANIA LTD AND ANOTHERRESPONDENT**

Date of Last Order 08/06/2009
Date of Ruling 03/06/2006

RULING

MWARIJA,J.

This is an application for leave to institute a suit against the respondents; the National Insurance Corporation of Tanzania Ltd, a specified public corporation and the Parastatal Sector Reform Commission. The application has been brought under S. 9 (1) of the Bankruptcy [Act Cap. 25 RE.2002], S.43 of the Public Corporations Act, [Cap. 257 RE.2002] and S.95 of the Civil Procedure Code [Cap. 33 RE.2002].

In his affidavit, the applicant, Inaceus L. Makoi who was represented in this application by Mr. El. Maamry, learned counsel deposed to the effect that he has a claim against the 1st respondent arising out of an accident which involved the applicant's motor vehicle insured of by the said 1st respondent. Since his claim could not be settled, he intends to file a suit in the court of law.

The 1st respondent was represented by Mr Victor, learned counsel while the 2nd respondent was represented by Ms. Shiyo, learned counsel. Both learned counsel did not have any objection to the application.

Having considered the application especially the supporting affidavit sworn by the applicant and as there has been no objection by the respondent, I hereby grant leave to the applicant to institute his intended legal proceedings in court. Costs of this application is awarded to the applicant

A.G. Mwarija

JUDGE

3/6/2009

03/06/09

Coram: Hon A.G.Mwarija,J

For the Applicant – Mr El.Maamry

For the 1st Respondent

For the 2nd Respondent Ms. Shiyo

CC: Yasintha

Ruling delivered

A.G.Mwarija

JUDGE

3/6/2009