

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

(ARUSHA DISTRICT REGISTRY)

AT ARUSHA

CIVIL REFERENCE NO. 1 OF 2018

(Arising from the High Court Taxation Cause No. 115 of 2016)

FELIX CHRISTOPHER MREMA APPLICANT

VERSUS

MILCAH KALONDU MREMARESPONDENT

RULING

MAIGE, J

This is a reference against a decision of a bill of costs granted by the Tax Master, Honorable Rumisha, DR. It has been preferred under Rule 5(1) of the Advocates Remunerations and Taxation of Costs Rules, G.N. NO. 515 of 2015. The cited law, parties are now in agreement was dis-applied and replaced by the current Advocates Remuneration Taxation of Costs Rules G.N. NO. 264/2015 which became operational on 17/7/2015.

Therefore, when the matter came for hearing of the preliminary objection the notice of which was previously filed, Mr. Shirima, learned advocate for

the applicant conceded to the preliminary objection and urged the Court to strike out the application without costs. Mr. Ombeni who appeared for the respondents thought that his clients were entitled to costs since far from entering appearance, he had filed a counter affidavit and a notice of preliminary objection. I agree with him.

For the reason of the application being preferred under a dead law, I find that it is incompetently before the Court. It is accordingly struck out with costs.

It is so ordered.

(Sgd) MAIGE.I

JUDGE

24.9.2018

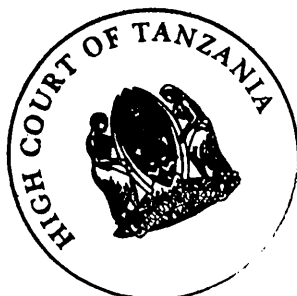
Delivered in the presence of Mr. Shirima, learned advocate for the applicant and Mr. Ombeni, learned advocate for the respondent this 24th day of September 2018.

(Sgd) MAIGE.I

JUDGE

24.9.2018

I hereby certify this to be a true copy of the original




J.F. NKWABI,
DEPUTY REGISTRAR
ARUSHA

28/9/2018