

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
(IN THE DISTRICT REGISTRY)
AT ARUSHA
CIVIL APPEAL NO. 11 OF 2018**

*(C/f Resident magistrate Court, Arusha Civil Case No. 4 of 2016; High Court
of Tanzania Misc. Application No. 123 of 2017)*

**FLYCATCER SAFARI LIMITED APPELLANT
VERSUS
GURUPREET SINGH BHACHU RESPONDENT**

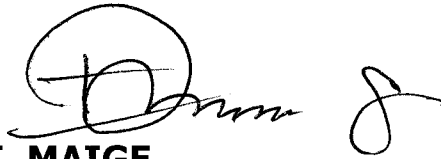
RULING

BEFORE: I. MAIGE, J

The memorandum of appeal is not accompanied with a copy of judgment. When I requested the counsel to address me on that issue, Mr. Msangi who took the conduct of the appeal for the appellant submitted that the appeal is properly before me because the appeal is against the decision.

Mr. Mustapha learned advocate for the Respondent submitted, correctly in my view, that under Section 39(1) of CPC attachment of a copy of judgment in appeal is mandatory requirement, unless the same is dispensed with.

In my opinion therefore, for the reason of not being accompanied with a copy of judgment, this appeal is incompetently before the court and it is hereby struck out with costs.



I. MAIGE

JUDGE

18/10/2018

Court: Ruling delivered, suit struck out.



I. MAIGE

JUDGE

18/10/2018