

**HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA**

**IN THE DISTRICT REGISTRY OF ARUSHA**

**AT ARUSHA**

**LAND APPEAL NO. 32 OF 2018**

*(C/f Land Application No. 11 of 2016 in the Karatu District Land and  
Housing Tribunal at Karatu)*

**GEREMIAH PHILIPO ..... APPLICANT**

**VERSUS**

**BONIFACE DAMIANO NGAO .....RESPONDENT**

**RULING**

**I. MAIGE, J**

In the judgment of the trial tribunal, it was prayed for, among others, that the appellant vacate the suit property. This is not reflected in the decree of the trial court. Apparently therefore, there is a variable between the judgment and decree. On the date of hearing, parties appeared in persons and were not represented. I requested them to address me on that issue and they had nothing to comment.

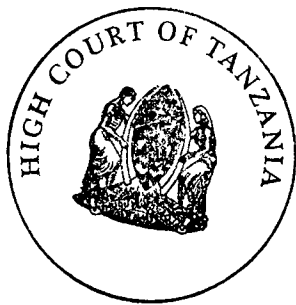
In my opinion, in to far as it departs from the judgment, the decree of the trial court is defective. Therefore, the appeal is incompetently before me for being accompanied with a defective decree. It is accordingly struck out without cost.

**SGD: I. MAIGE**

**JUGDE**

**16/10/2018**

I hereby certify this to be a true copy of the Original.



A handwritten signature in black ink, consisting of stylized initials and a surname.

**S. M. KULITA**

**DEPUTY REGISTRAR**

**ARUSHA**

29/10/2018