

**IN THE HIGH COURT OF TANZANIA  
(DAR ES SALAAM DISTRICT REGISTRY)**

**AT DAR ES SALAAM**

**CIVIL APPEAL NO. 121 OF 2017**

**RUKYA SANATU BASSEPORTE**

**& OTHERS ..... APPELLANT**

**VERSUS**

**GERALD VALENTINE ..... RESPONDENT**

**RULING:**

Mr. Peter Kaozya, raised a point of preliminary objection to the effect that the appellant's appeal is time barred in that the decision intended to be challenged was issued on 20/1/2009 and this appeal filed 9 years later on 1/6/2017 and without any leave.

I have looked closely at the appeal documents annexed to the memorandum of Appeal and I do not see any leave allowing the appellant to file his appeal out of time. It is glaring from the decision intended to be challenged that it was issued on 20/1/2009 and the present appeal filed on 1/6/2017, in that regard, the same was filed inordinately out of time hence I have no option but to agree with Mr. Kaozya, that the appeal is time barred its fate is dismissal it under Section 3(1) of the Law of Limitation Act, Cap. 89 R.E. 2002 which I hereby do.

Accordingly, the appeal is dismissed with costs.

  
A. Munisi, J.

**15/3/2018**