

**IN THE HIGH COURT OF UNITED REPUBLIC OF TANZANIA
IN THE DISTRICT REGISTRY OF BUKOBA
AT BUKOBA**

CIVIL APPLICATION NO. 8 OF 2017

(Arising from (HC) Land Case No. 18 of 2016)

KOMBE ANDREA-----APPLICANT

VERSUS

1. AGNES MUKUTA 2. JACKEM AUCTION MART AND COURT BROKER	}	-----RESPONDENTS
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RULING

28/8/2018 & 28/8/2018

MLACHA, J.

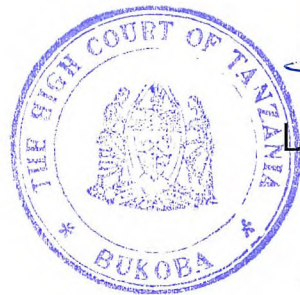
The Applicant, **KOMBE ANDREA** filed this application against the Respondents **AGNES MUKUTA AND JACKEM AUCTION MART AND COURT BROKERS** Seeking the following orders;

- 1. That this honourable court be pleased to issue an order for Temporary Injunction retraining the 1st Respondent, her agents, work men, assignees or any other persons working on that behalf, from misuse, waste, damage or alienate pending final and conclusive determination of the main Civil Case No. 18 of 2016.*
- 2. Any other order(s) as the honourable court deems prayer to grant.*

The application was made under **Order XXXVII Rule (1), Section 68 (e) and Section 95 of the Civil Procedure Code Act, Cap. 33 R.E. 2002**. It was accompanied by the Affidavit of the Applicant and some supporting documents. The Land the subject matter of the suit was described as two pieces of Land situated at Buhunga - Nyakahanga Ward within Karagwe District, Kagera Region. The first Respondent filed a Counter Affidavit. The second Respondent could not file any Counter Affidavit. Neither was he present in court.

When the application was called for hearing before me today, Ms. Theresia Advocate for the first Respondent informed the court that his client did not have any objection to the application any more. Mr. Abel Rwekaza who appeared for the applicant informed the court that his client had no any problem with the second Respondent. His problem was with the first Respondent. He requested the court to grant the application.

I have considered the matter. I agree with the learned counsel. The application is granted as prayed save for costs which shall be in course. It is ordered accordingly.




L.M. Mlacha,

Judge

28/8/2018

Date: 28/8/2018

Coram: Hon. M. Mlacha, J.

Applicant: Present, Abel, Advocate

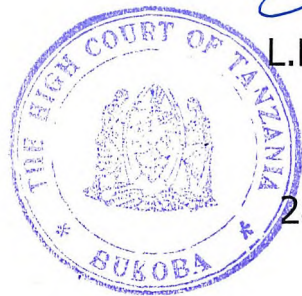
1st Respondent: Present, Theresia, Advocate

2nd Respondent: Absent

B/Clerk: Kithama

Court:

Ruling delivered.



L.M. Mlacha

Judge

28/8/2018