

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

**AT DAR ES SALAAM**

**CIVIL APPLICATION NO. 273 OF 2018**

**IN THE MATTER OF THE COMPANIES ACT NO. 12 OF 2002**

**AND**

**IN THE MATTER OF AN APPLICATION FOR AN ORDER  
DIRECTING TORYA MACHINERY LIMITED TO HOLD AN  
ANNUAL GENERAL MEETING**

**BY**

**ERŞAL YAZICL.....APPLICANT**

**RULING**

**MURUKE, J.**

Applicant is one of the director and shareholder of Torya machinery Limited, incorporated by BRELLA on 23<sup>rd</sup> December 2011. The other director is Mrs Buket Toraman. Since registration of the company there has never been, Annual General meeting in terms of section 133 (1) of the companies Act. The Company operates bank account with Stanbic Bank account number 9120000478286 - USD and 912000058259 Tchs, in the name of the company. Currently there are conflicting

directing of the two directors in relation to bank account. There is a danger of Stanbic Bank closing company account as indicated in the letter dated 03/05/2018 **annexture N** to the supplementary affidavit giving 30 day Notice to the company. Closing of the Bank account will affect company activities financially. There is a need by this court to intervene by issuing necessary orders to prevent closing of the company account pending sorting out of directors conflict by minister for trade and industry through BRELA.

Thus, Stanbic Bank, Main Branch, Kinondoni, is ordered to extend time to close account of Torya Machinery Limited for twelve months from today, pending resolution of two directors conflict, by Minister for industry and trade through BRELA, in terms of section 133 (4) of companies act, act number 12 of 2002. It is so ordered.

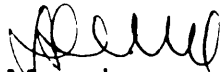


Z. G. Muruke

**JUDGE**

**04/06/2018**

Ruling delivered to day in presence of Caroline Muro for applicant.



Z. G. Muruke

**JUDGE**

**04/06/2018**