

**IN THE HIGH COURT OF TANZANIA
DAR ES SALAAM DISTRICT REGISTRY
AT DAR ES SALAAM
MISC. CIVIL APPLICATION NO. 552 OF 2018**

MIKOCHENI BUILDERS MERCHANTS

LTD (MBM).....APPLICANT


VERSUS

DAIKIN TANZANIA LTD.....RESPONDENT

RULING

S.M. Kulita, J.

The applicant in this application for stay of execution who is also the Appellant in the Civil Appeal No. 210 of 2018 from which this application emanates prays for a stay of execution against the decision of a Civil Case No. 47/2016 Kisutu RM's Court. Failure of the Respondent's Counsel to file Counter Affidavit implies that the Respondent does not intend to challenge the application, hence it can be granted and I so order. The temporary injunction is hereby granted as prayed.



S.M. Kulita

JUDGE

07/10/2019