

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
(IRINGA DISTRICT REGISTRY)**

AT IRINGA

(LAND DIVISION)

LAND APPEAL NO. 23 OF 2019

*(Originating from the Decision of the District Land and Housing Tribunal of
Iringa in Land Application No. 39 of 2015)*

MOHAMED RAMADHANI BORORO APPELLANT

VERSUS

FATUMA RASHID SELEMANI (As administratrix of the

Estate of the late ASHA MARUFU MBUNGU RESPONDENT

Date of Last Order: 29/04/2020

Date of Judgment: 04/06/2020

JUDGMENT

MATOGOLO, J.

The respondent one Fatuma Rashidi Seleman who is the administratrix of the Estate of the Late Asha Maarufu Mbungu successfully sued the present appellant one Mohamed Ramadhani Bororo for a house on Plot No. 55 Block H. situated at Maweni/Miyomboni area within Iringa Municipality. The said house belonged to Asha Maarufu Mbungu. The respondent filed a suit in the capacity as the administratrix of the estate of the late Asha Maarufu Mbungu. The dispute arose after the appellant has transferred ownership of the house to himself.

Aggrieved with the District Land and Housing Tribunal decision, the appellant has appealed to this court where he filed memorandum of appeal consisting five grounds as hereunder:-

- 1. That, the learned trial chairman erred both in law and fact by deciding the matter in favour of the respondent having in contemplation that the respondent did not prove her case on balance of probability.*
- 2. That, the learned trial chairman erred both in law and fact by deciding the matter in favour of the respondent knowingly that the same was time barred.*
- 3. That, the learned trial chairman erred both in law and fact when he decided the matter in favour of the respondent by being too biased.*
- 4. That, the learned trial chairman erred in both in law and fact by deciding the matter in favour of the respondent who did not join the Registrar of Tittles who issued the appellant with the certificate of occupancy.*
- 5. That, the learned trial chairman erred both in law and fact by deciding the matter in favour of the respondent knowingly that he had no pecuniary jurisdiction to determine the same.*

He therefore prayed for the decision of the trial Tribunal to be set aside and the appeal to be allowed with costs.

The appeal was argued by way of written submissions, both parties were represented by counsel. Mr. Alfred Kingwe learned counsel appeared

for the appellant and Mr. Mwamgiga Jessy learned counsel appeared for the respondent.

In his submission in support of the appeal, the counsel for the appellant mainly argued in respect of first ground that the respondent did not prove her case as she has the burden under Section 110 of the Evidence Act [Cap. 6 R. E. 2002], to prove what he alleged. There is no evidence to show that the appellant owned the house illegally. The respondent is purported to have been appointed the administratrix of the estates of her late mother by 17 family members but none of them was called to testify. One of them Anisa Rashid Seleman is the respondent's blood sister who was important witness to prove that the house in dispute still belongs to the late Asha Maarufu Mbungu in trust of her respective heirs.

Regarding the second ground, it is the learned counsel contention that the trial Tribunal chairman erred to decide in favour of the respondent while knowingly that the claim was time barred in terms of item 22 of part 1 of the schedule to the Law of Limitation Act [Cap. 89 R.E.2002], which is 12 years to recover the land. He backed up his contention by citing the case of ***Sweya Selili vs. Shilingito Dombasa (1978) LRT No. 48*** and the case of ***Mathias Katonya vs. Ndola Masimbi(1999) TLR 390.***

He said for recovery of land which has been held by deceased should be done within 12 years from his death irrespective of when letters of administration were granted and referred this court to the cases of ***Yusuf Seme and Another vs. Hadija Yusuf (1996) TLR 347*** and ***Stephen***

Masato Wasira vs. Joseph Sinde Warioba and the Attorney General (1999) TLR 334.

He said since the matter involves a suit to recover land by the administrator of the deceased estates it is impossible to evaluate the requirements of Section 9(1) and 35 of the Law of Limitation Act. It is 18 years from the death of Asha Maarufu Mbungu to the date of obtaining the letters of administration of the estates, and 18 years to the institution of this suit the delay which is fatal.

The learned counsel submitted that the respondent alleges that Asha Maarufu Mbungu died on 28th day of March, 1996. Respondent was confirmed as administratrix in 2014, 18 years after the deceased death.

As to the third ground, the appellant argued that the trial chairman erred to decide in favour of the respondent by being too biased. The respondent did not give sufficient evidence and the trial chairman failed to discuss its conspicuity and veracity.

Regarding the fourth ground of appeal, it is the appellant's contention that the tribunal chairman erred to decide in favour of the respondent who did not join the Registrar of Titles who was a necessary party in the matter. The Tribunal ought to order his name to be joined. He supported his argument by citing the case of ***Conrad Berege vs. Registrar of Co-operative Societies and the Attorney General (1998) TLR 22.***

Regarding the fifth ground of appeal, the appellant contended that the trial Tribunal erred to decide in favour of the respondent while knowingly that it had no pecuniary jurisdiction to determine the matter and cited the case of ***Shyam Thanki and Others vs. New Pallace Hotel (1972) HCD 92*** in which it was held that courts are created by statutes and their jurisdiction is statutory. On the same argument he further cited the case of ***M/S Tanzania China Friendship Textile Co. Limited vs. Our Lady of the Usamabla Sisters (2006) TLR 70*** to show that the issue of jurisdiction can be raised at any time even at an appeal stage.

The appellant argued that the trial Tribunal chairman decided to hear the matter even where the appellant appended valuation report to his written statement of defence with value beyond the pecuniary jurisdiction of the Tribunal. The appellant therefore prayed to this court to allow the appeal with costs.

In his reply submission Mr. Mwamgiga Jessy learned counsel for the respondent supported the decision reached by the Tribunal chairman. He said the respondent managed to prove her case on the balance of probabilities. The respondent proved to have been administratrix of the estates of the late Asha Maarufu Mbungu by tendering in court letters of administration which were admitted as exhibit P1 collectively. She obtained those letters of administration after the death of her mother, Asha Maarufu Mbungu. The respondent proved that the late Asha Maarufu Mbungu was the owner of the suit premises by tendering a Right of Occupancy given to her which was tendered and admitted without objection as exhibit P3. This

proves that the deceased had a good title of the property on Plot No. 55 Block H. Miyomboni area to which the respondent was entitled to administer.

The learned counsel argued that the Tribunal chairman was much correct to decide in favour of the respondent because what was submitted by the appellant (DW1) at the trial has lot of inconsistencies which created doubts to believe the same as the lawful owner of the suit premises. The appellant alleged to have been given the suit premises by his grandmother in 1985. He stated that in 1985 he transferred the property's name from Asha Maarufu Mbungu to his name. But in 1985 the late Asha Maarufu Mbungu was still alive, she deceased died in 1996. But while being cross-examined the appellant conflicted himself from what he stated in examination in chief that at the life time of the deceased he did not change the name to his. He stayed for 28 years to when he changed ownership of the suit premises. He said it is on such inconsistencies of the appellant's evidence the Tribunal chairman correctly disregarded his evidence and decided in favour of the respondent who proved her case on the balance of probabilities. He said unreliability of witnesses, conflicts, inconsistencies in their evidence entitled the chairman to reject such evidence and cited the case of ***Emmanuel Abrahamu Nanyaro vs. Peniel Ole Saitabau (1987) TLR 48.***

He submitted further that the appellant failed to prove his case because of the time he alleged to have obtained, the suit premises, he was

of the age of minority 13 years such that he lacked capacity to conclude contracts.

Banana Maarufu Mkwaya (DW2) who was alleged to stand as a guardian and signed instead of the appellant his evidence is not worth to be trusted because he conflicted with the appellant by denying that he never executed the transfer deed.

But the appellant who claimed to be rightful owner of the suit house since 1985 conflicts with exhibit P.6, the Will of Ramadhan Bororo dated 05/06/2001 who is the father of the appellant. The Will was executed in 2001 and listed the suit house to be among properties of Ramadhan Bororo. The question is why the said house acquired back in 1985 to be listed in 2001 as property of Ramadhan Bororo. Mr. Mwamgiga Jessy learned counsel argued that this gives a picture that the appellant is trying to deceive courts of law.

In regard to second ground of appeal, the respondent viewed it to lack merits and said the same was not supposed to be raised at this stage. It is trite that appellate court cannot consider or deal with issues that were not canvassed, pleaded or raised at the lower court and cited the decision of this court in the case of ***Yazidi Rajabu Byamungu and 2 Others vs. Nakuroi Investment Co. Ltd***, Land Appeal No. 118 of 2016 High Court Dar es Salaam (unreported).

The learned counsel submitted further that Application No. 39 of 2015 was not filed out of time because the right of action accrued on the date of dispossession of the land in question which is sometimes in

January, 2013 after the appellant has unlawfully taken charge and control of the suit house including collection of rent, two years the dispute has arisen. He argued that it was filed within time because item 22 of part 1 of the Law of Limitation Act prescribes 12 years limitation since the dispute arose to the date of filing the suit. The learned advocate cited the case of ***Barelia Karangirangi vs. Asteria Nyalwambwa***, Civil Appeal No. 237 of 2017, CAT Mwanza (unreported) in which it was held that right of action is deemed to accrue on the date of dispossession of land in question.

In regard to ground No. 3, the learned counsel said is devoid of merit because as the respondent managed to prove her case on the balance of probabilities as explained above.

Regarding ground No. 4 of appeal the learned counsel said it has no legal effect on the matter at hand because Order 1 rule 9 of the Civil Procedure Code provides that no suit shall be defeated on the basis of misjoinder or non-joinder if the dispute can be resolved without affecting that party's interest. And that according to Order 1 rule 13 the said ought to be taken at the earliest possible opportunity and failure to do so the court shall presume the party to have waived it.

He submitted further that the position as to misjoinder and non-joinder of parties does not defeat the proceedings of a suit as long as the dispute between the parties to the suit can be resolved without that party and without affecting the party's interest as it was demonstrated in the case of ***Abdi M. Kipoto vs. Chief Arthur Mtoi***, Civil Appeal No. 75 of 2017, CAT at Tanga (unreported). He said there was no compelling reason

to join the Registrar of Titles in this case because the respondent had no cause of action against him. If the appellant had an intention to prove his case to mean that he was issued with the certificate of occupancy by the said officer he would have joined him by way of third party notice as a procedure governed by Order 1 rule 14(b) of the Civil Procedure Code.

As to the 5th ground of appeal it is the submission of the respondent that the trial Tribunal chairman was correct to appreciate that the trial Tribunal had jurisdiction to try the matter because the estimated value of the suit premises was within its jurisdiction as indicated in the application. He said it is wrong to raise the same preliminary objection on jurisdiction which was already determined by the tribunal, the appellant if he wanted to challenge the jurisdiction of the tribunal after formerly raised the same objection to have been struck out he could have applied for review in order to adduce a valuation report which proves otherwise as it is not enough to say the appellant used unknown approach on that but also it is a settled principle of law that the process of court should not be abused by repeating the same preliminary objection like a chorus as it was demonstrated in the case of ***Independent Power Tanzania Ltd vs. VIP Engineering and Marketing Ltd***, Civil Appeal No. 54 of 2002 CAT at Dar- es- Salaam (unreported). He said the estimated value of the suit premises at the time of institution of the suit was Tshs. 10,000,000/= therefore the cases cited by the appellant in this case are all distinguishable. He therefore prayed for this appeal to be dismissed with costs.

In rejoinder Mr. Kingwe contended that the death of Asha Maarufu Mbungu and appointment of the respondent as administratrix of her estates is not in contract. But as he submitted earlier the suit premises was given to the appellant in 1985 and Ramadhan Bororo, the appellant's father renovated the said house for his son while the respondent and other relatives were there. He said exhibit D2 collectively prove that the appellant was given the suit house at the time the deceased was still alive. Property tax was paid in appellant,s name since the deceased's life time exhibit D4 collectively.

The learned counsel said the cited case of ***Emmanuel Abraham Nanyaro*** (supra) has nothing to do with the matter at hand.

On the issue of minority age, the learned counsel contended that the appellant adduced to the effect that he was under the guardianship of Banana Maarufu Mkwaya, in line with the letter Ref. No. LD/SE2/15050/11/JGM dated 11/08/2013, letter with Ref. No. IRD/800/22/EEM dated 02/09/2013 and letter Ref. No. LD/SL2/15050/11/JGM dated 02/08/2013, exhibit D5 collectively.

Regarding the Will of Ramadhani Bororo the appellant's father dated 05/06/2001 the same was rejected by the Morogoro Primary Court, the respondent did not controvert the same. Mr. Kingwe learned advocate alleged that the two were living peacefully. The problem started once the respondent made a call to the appellant asking him for a capital for children keeping, when the respondent said had no money. On the time limitation, the learned counsel argument is that the suit premises was

given to the appellant in 1985 as a gift intervivos. The late Asha Maarufu Mbungu died in 1996. The respondent obtained letters of administration in 2014 after 18 years. He said the case of ***Yazid Rajabu Aka Byamungu and 2 Others*** (supra) is irrelevant. Otherwise the learned counsel reiterated what he had submitted in his submission in chief.

Having carefully read the rival submissions by the learned counsel, and after careful go through the court records, there are matters which require attention of this court. These include:-

- (i) The procedure adopted by the late Asha Maarufu Mbungu to grant the appellant the suit premises if at all she did so.
- (ii) Why the suit premises was listed in the will of appellant's father one Ramadhan Bororo as his property made on 05/06/2001 after 16 years from the said grant.
- (iii) The purpose of processing for a valuation report of the suit premises which was issued on 22/12/2015.

According to the appellant's evidence he obtained the suit premises as a gift from his grandmother the late Asha Maarufu Mbungu way back on 25/07/1985. At that time the present appellant was 13 years old thus was a minor. At that time, according to the evidence of the respondent the late Asha Maarufu Mbungu had seven children who were alive. But neither of them was involved in the said transfer of the ownership of the house to the appellant. But not only that, from that time the late Asha Maarufu Mbungu remained in that house. She has been living in the same house and her

generation until when she met her death on 28/03/1996 after 11 years from the date she transferred the suit premises to the appellant as a gift.

However no any of her children was involved or notified of the said transfer except Banana Maarufu Makwaya. Neither the appellant nor the said Banana Maarufu Makwaya gave sound explanation as to why other children of the late Asha Maarufu Mbungu were not involved nor informed that the late Asha Maarufu Mbungu has given the suit premises to the appellant as a gift.

This creates doubt whether actually the said premises was given to the appellant as a gift. Understandably a person is not bound to seek advice how to do with his/her property, but where it come to a situation that deceased had children at the time of the said transfer, it was expected that her children would be notified in order to avoid misunderstandings or conflicts among the children. There was no reason given whether the late Asha Maarufu Mbungu was not in good terms with her children such that she decided to pass the property to her grandson, the appellant.

Although Barnabas Maarufu Makwaya posed as the representative of the appellant at that transfer of gift agreement, due to the fact that the appellant was still a minor who could not be able to enter into a contract, but the said transfer of gift deed is silent and does not indicate that the said Barnabas was acting on behalf of the appellant. What appears in the transfer of gift deed is his signature without any explanation as to why he signed that document.

The facts that the latter was the representative of the appellant were supplied later by an affidavit of the appellant dated 11th September, 2013 and the oral testimonies of both the appellant and the said Barnabas Maarufu Makwaya. But it appears the affidavit regarding signature was taken purposely in the process of preparing Right of Occupancy of the said suit premises. Above all in that affidavit it is not stated to whom the signature belonged which appeared in the certificate of Title of the Land on Plot No. 55 Block H. The deponent just stated that it was the signature of his brother whose identity was not disclosed. This therefore creates doubt if there has been valid transfer of the suit premises to the appellant by the late Asha Maarufu Mbungu as a gift. It trite law that a document must speak by itself, in no way oral evidence can be admitted to supplement the same.

Section 100 of the Law of Evidence Act, Cap. 6 R.E. 2002 provides:-

*"100(1) when the terms of contract, grant, or any other disposition of property, have been reduced to the form of a document and in all cases in which any matter is required by law to be reduced to the form of a document **no evidence shall be given in proof of the terms of such contract, grant or other disposition of property or of such matter except the document itself or secondary evidence** of its contents in cases in*

which secondary evidence is admissible under the provision of this Act.

*"Section 101 when the terms of a contract, grant, or other disposition of property or any matter required by law to be reduced to the form of a document, have been proved according to Section 100, no evidence of any oral agreement or statement shall be admitted, as between parties to that instrument in their representatives in interest for the purpose of contradicting, varying, **adding to** or subtracting from its terms". (Emphasis supplied)*

Looking at the said transfer of gift deed although appears that the suit premises was transferred to Mohamed Ramadhan (appellant) but was signed by a different person without any good explanation, this too creates doubts to its authenticity. Another question which begs an answer is to why the suit premises was listed in the Will of the father of the appellant one Ramadhan Bororo as among his properties as appears in item X of his Will in which house No. 55 located at Maweni Street Iringa. The said Ramadhan Bororo, who is now deceased is one of the children of the late Asha Maarufu Mbungu who is said to have been renovating the house of question although it was not disclosed as to when he did renovate the same. The Will was prepared on 05/06/2001, that is 16 years after the

alleged transfer of the suit premises to the appellant, if so why listing it as one of his properties. This too adds more doubt to the whole transaction.

Another question relates to the valuation report tendered by the appellant before the trial Tribunal which was admitted as exhibit.

That valuation report was issued on 22/12/2015 purporting to show that the suit premises has the value of Tshs. 115,300,000/= in that report the instruction and purpose indicated reads as follows:-

*"we Iringa Municipal council have been instructed by **MOHAMED RAMADHANI of P. O. Box, Iringa** to inspect and estimate the market value of the property on Plot No. 55 Block "H" Miyomboni area in Iringa Municipality".*

Item 13-0 of the report has valuation Limitations which reads as follows:-

"This valuation report is confidential to MOHAMED RAMADHANI, and Iringa Municipal Council for the specific purpose to which it refers. However it cannot be disclosed to any third parties without the valuer's written approval".

We have obtained information through search of record and by inquiry from appropriate authorities and therefore we have assumed that such

information reliable but if the information is provided to be otherwise no responsibility will be accepted”.

Reading through the valuation report on the items reproduced above, it was prepared for the purpose but which was not disclosed, but the author has disclaimed liability. Then the question follows, what was the purpose of preparing a valuation report?. As pointed out above the same was issued after the suit has been filed in court and at the time the appellant had already filed Written Statement of Defence. What happened is that the appellant applied before the trial Tribunal for leave to amend the Written Statement of Defence the leave which was granted. It is in that amended Written Statement of Defence the valuation report was annexed. According to that scenario one may hurriedly conclude that the valuation report was prepared for purpose of circumventing the situation, as already appellant was aware of the estimated value of the suit premises indicated by the respondent in her claim while filing the suit. It is therefore my considered view that the appellant strategically planned how to acquire the suit premises and how to protect the same. It follows therefore that the appellant's argument that the trial Tribunal lacked jurisdiction cannot lie as at the time the suit was filed in court the estimated value was Tshs. 10,000,000/=. The appellant hurriedly prepared a valuation report for purpose of ousting pecuniary jurisdiction of the trial tribunal. That would be meaningful had the report being prepared prior to the institution of the suit before the District Land and Housing Tribunal. The trial Tribunal was therefore correct to overrule the objection based on pecuniary jurisdiction, thus 5th ground of appeal lacks merit. On the issue of failure to join the

Registrar of Titles in the suit, that was adequately addressed by the respondent's counsel in his reply submission that misjoinder or non-joinder of parties cannot defeat the suit. The suit cannot be dismissed basing on misjoinder or non-joinder of parties if the same can be disposed of without those parties.

Order 1 rule 9 of the Civil Procedure Code provides:-

"No suit shall be defeated by reason of the misjoinder or non-joinder of the parties, and the court may in every suit deal with the matter in controversy so far as regards the right and interests of the parties actually before it".

By taking into account the nature of the dispute and the parties involved. The matter could be dispose of without even requirement to join the Registrar of Titles. The respondent chose to sue the appellant when she thought is a necessary party in her claim, if the appellant thought that it was important to join the Registrar of Titles, he was at liberty to do so. The Court of Appeal of Tanzania in the case of **Abdi M. Kipoto vs. Chief Arthur Mtoi** (supra) at page 12 clearly stated that non joinder of a party does not defeat the proceedings of a suit as long as the dispute between parties to the suit can be resolved without that party and without affecting that party's interests. The cases cited by the appellant's counsel in support of his argument are distinguishable to the circumstances of this case. This ground of appeal lack merit too.

The third ground of appeal is that the learned trial chairman erred to decide in favour of the respondent by being too biased. His argument is that the learned trial chairman in deliberating and evaluating the evidence received he discussed more on the appellant's evidence who was just a respondent. But he was supposed to discuss more on the conspicuity and veracity of the evidence adduced by the respondent who was the applicant.

I think the complaint in this ground and the argument thereof is baseless. The trial chairman discussed and evaluated the whole evidence received that is why he came to the conclusion that the present respondent proved her claim on the balance of probability. That is why in the course of evaluating the evidence received he deferred with the opinion given by one assessor Z. Chalamila. As to the second ground of appeal the appellant's complaint is that the trial chairman erred in law and fact by deciding in favour of the respondent knowing that the matter was time barred. He argued that the time limitation to recover land is 12 years. On his part the respondent argued first that such ground was supposed to be raised at the trial not on appeal. While I agree with Mr. Kingwe on the issue of time limitation and the fact that issue of limitation can be raised at any time even on appeal per ***Our Lady of the Usambara Sisters Case***, but the circumstances of the two cases are different, the present case involves dispossession of landed property. The counsel for the respondent correctly submitted that the appellate court cannot entertain an issue that was not canvassed, pleaded or raised at the lower court. There are several authorities to this including that of ***Yazidi Rajabu AKA Byamungu and 2 Others*** (supra) cited by the respondent counsel.

But the respondent's counsel also correctly argued that the right of action accrues from the date of dispossession of the land in question, which she said was in January, 2013 after the appellant has taken authority over the suit land as was correctly held by the Court of Appeal in the case of ***Barella Kawangirangi vs. Asteria Nyalwabwa*** (supra). But apart from that it should also be noted that the respondent was appointed as administratrix of the deceased estate on 2014. She could not be able to sue the appellant before as she had no locus standi. She attained locus standi after been granted with letters of administration of the deceased estates. Given those circumstances therefore the appellant's complaint in the second ground also fails.

The first ground of appeal is to the effect that the respondent did not prove the case on the balance of probabilities as she failed even bring as a witness his sister one Anisa Maarufu Mbungu. I must point out on the outset that there is no number of witnesses a party is required to bring in court for purpose of proving a case. This is provided under section 143 of the Evidence Act, [Cap.6 R.E. 2002]. This was also interpreted by the Court of Appeal in the case of ***Yohanis Msigwa V. R.[1990] TLR 148***. There is no dispute that the suit premises was the property of the late Asha Maarufu Mbungu. The respondent was legally appointed as administratrix of the deceased estates whose duty is to collect the deceased properties and divide to heirs.

The appellant alleged to have been given such a premises by the late Asha Maarufu Mbungu way back in 1985 and during her life time. But as

said above at that time the appellant was a minor incapable of entering into contract. Instead he alleged that one Banana Mkwya entered into the said contract on behalf of the appellant. But there is no credible evidence proving that as although it is said that is the one who signed the transfer document on behalf of the appellant, the document itself does not attest to that. I have explained in detail the requirement of the law regarding documentary evidence. But the same house which is said to be given to the appellant in 1985, in 2001 his father Ramadhan Bororo listed that house in his Will as among his personal properties. But other documents which were prepared as evidence that the suit premises belongs to the appellant were prepared later on and after the suit has been filed in court. The appellant is the one who alleged ownership to the said suit premises but he failed to prove the same pursuant to the requirement of Section 110 of the Evidence Act, even what was decided in the case of ***Hemed Said vs. Mohamed Mbilu (1984) TLR 113***. The appellant failed to prove ownership of the suit premises due to contradictory evidence appellant and his witnesses gave. As the burden of proof in civil matters is on the balance of probabilities, the respondent's evidence or the ownership of the suit premises the respondent has managed to prove her case on the balance of probabilities, as against the appellant whose evidence is shaky and has lot of doubts. The learned trial chairman was therefore correct in my view to hold that the respondent managed to prove her case on the balance of probabilities.

Having so demonstrated, I find this appeal devoid of merit, the same is hereby dismissed with costs.

DATE at IRINGA this 4th day of June, 2020.


F.N.MATOGOLO

JUDGE

04/06/2020

Date: 04/06/2020
Coram: Hon. F. N. Matogolo – Judge
LA/: B. Mwenda
Appellant: Present
Respondent: Mr. Mwamgiga Jessy – Advocate
C/C: Grace

Mr. Mwamgiga Jessy - Advocate:

My Lord I am representing the respondent. The matter is for judgment on our part we are ready.

Appellant:

I am ready.

Court:

Judgment delivered.


F. N. MATOGOLO
JUDGE

04/06/2020

