

IN THE HIGH COURT OF TANZANIA

TABORA DISTRICT REGISTRY

AT TABORA

LABOUR APPLICATION NO. 17 OF 2018

(Arising from the Decision of the Commission for
Mediation Arbitration of Tabora (Anosisye,
Arbitrator/Mediator in Labour Dispute No.
CMA/TAB/DISP/89/2014 of the dated 22/5/2015)

SIKONGE DISTRICT COUNCILAPPLICANT

VERSUS

RAMADHANI LUGILIMBA.....RESPONDENT

RULING

Date of hearing: 25/11/2020

Date of Delivery: 25/11/2020

AMOUR S. KHAMIS, J:

The Sikonge District Council filed the present application for extension of time to file revision against the CMA decision in Labour Dispute No. CMA/TAB/DISP/89/2014.

The application filed by Chamber Summons was supported by an affidavit of Martha Daud Luleka, the Executive Director of Sikonge District Council.

Ramadhani Lugilimba, the respondent herein, filed a counter affidavit through his advocate, Emmanuel B. Musyani.

When the matter was placed before me for hearing, Mr. Emmanuel B. Musyani moved the Court to strike out the case for continued absence of the applicant.

Upon examination of the records in this matter, I noticed that the case was lodged on 7th day of November 2018.

Records show that for the last time, the applicant's learned counsel, Mr. Paschal Odo Kapinga, Solicitor, appeared in Court on 20th day of November, 2019.

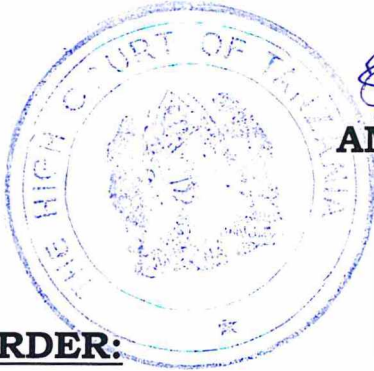
The applicant defaulted appearances on 11/03/2020, 20/5/2020, 17/06/2020, 19/08/2020, 7/10/2020 and today 25/11/2020.

In all these dates, there was neither notice nor explanation from the applicant on the reasons for absence.

In the circumstances, this Court cannot keep on adjourning the case without any communication from the applicant who seems to have lost interest in the case.

Consequently the application is struck out in terms of Rule 36 (1) of **THE LABOUR COURT RULES, G.N. NO. 106 OF 2007.**

It is so ordered.



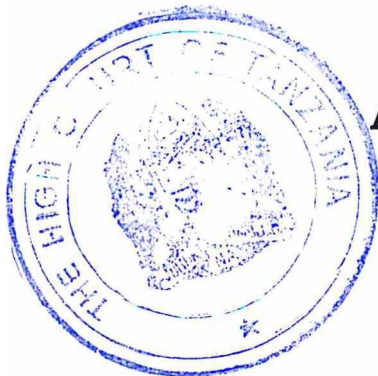
AMOUR S. KHAMIS

JUDGE

25/11/2020

ORDER:

Ruling delivered in the open Court in presence of Mr. Emmanuel B. Musyani, learned advocate for the respondent and in absence of the applicant. Right of Appeal explained.



AMOUR S. KHAMIS

JUDGE

25/11/2020