

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
(DAR ES SALAAM DISTRICT REGISTRY)
AT DAR-ES-SALAAM**

MISC. CIVIL APPLICATION NO. 22 OF 2020
(Arising from Misc. Civil Application No. 714 of 2017 and Probate
Administration Cause No. 29 of 2009)

**IN THE MATTER OF THE STATE OF THE LATE TWAHIL SELEMAN
KUSUNDWA
AND
IN THE APPLICATION FOR EXTENSION OF TIME BY IBRAHIM
TWAHIL KUSUNDWA**

MASABO, J.:

The applicant who is the administrator of the estate of the late TWAHIL SELEMAN KUSUNDWA, has moved this court under section 14(1) of the Law of Limitation Act [Cap 89 RE 2019] praying that, the time within which to file the final account be extended. Prior to this application on 28th June 2019, vide Misc. Civil Application No. 714 of 2017, I granted him 14 days leave to file an up to date account including among others, the details of the deceased's bank account maintained by NBC Bank and CRDB Bank, respectively.

In his affidavit he has deponed that he could not timely comply with the order owing to delay in being furnished with bank statements. Today, the application came for hearing. Mustapha Twalib Kusundwa, one of the beneficiaries, who was present in Court did not contest the application. The

applicant, represented by Ms. Idda Rugakingira, learned counsel adopted his affidavit and prayed that the application be grated.

Upon examination of the application and the supporting affidavit, it is vividly clear that the applicant has been diligent in pursuit of the matter. As it will appear from the annexures to the affidavit, the details of the CRDB Bank account were furnished on him on 22/09/2019 and the one for CRDB came on 12/10/2019 after the time granted by this court had lapsed.

Although the applicant has not accounted for the period between 12th October 2019 and 18th December 2019 when he filed this application, I am of the considered view that it is in the interest of justice that the application be allowed so that the final account can be filed and the probate matter which has been in court since 2009, be closed.

On this ground, I allow the application. The applicant is to file a final account by 30th February 2021.

Order accordingly,

DATED at DAR ES SALAAM this 10th day of December 2020.



A handwritten signature in blue ink, appearing to be "J.L. MASABO", written over a circular stamp.

J.L. MASABO
JUDGE