

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

TANGA DISTRICT REGISTRY

(LAND DIVISION)

AT TANGA

MISC. LAND CASE APPLICATION NO. 51 OF 2020

(Arising from Civil Appeal No. 47 of 2018 of the Korogwe Land and Housing Tribunal, Originating from Land Application No. 2/2018 of Kerenge Ward Tribunal)

PETER JOHN LAMECK..... APPLICANT

VERSUS

HAMIDU ATHUMAN.....RESPONDENT

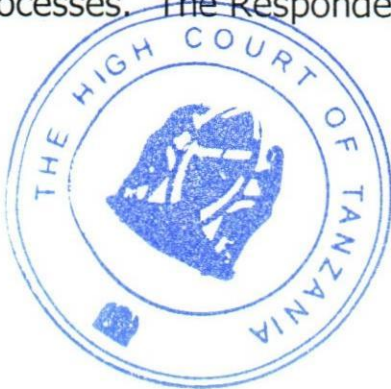
RULING

MRUMA, J.

Having gone through the parties' pleadings in terms of chamber summons, supporting affidavit and the counter affidavit and having heard the parties' arguments, I find that this application is utterly misconceived.

The Applicant has brought this application under section 14 (i) of the Law of Limitation Act [Cap 89 R.E. 2019]. There is no paragraph (i) under section 14 of that Law and court cannot be moved under non – existing law. Secondly, the Applicant is seeking for extension of time within which he can apply for re-admission of his appeal No. 73 of 2018, which was dismissed for want of prosecution on 1st of August, 2019 without citing any

law that prescribes time limit for restoration of the appeal dismissed for want of prosecution. Apparently, the Applicant does not know what remedy he is presently seeking in this court between extension of time and restoration of his dismissed appeal. In the circumstance and without wasting much time of the court and the parties, I dismiss the application for being totally misconceived and to say the least an abuse of court processes. The Respondent will have his costs.




A.R. Mruma, J

08/12/2020

Court: Delivered in presence of the parties this 8th day of December, 2020.

Right of Appeal explained.


A.R. Mruma

Judge

08/12/2020