

IN THE HIGH COURT OF TANZANIA

IN THE DISTRICT REGISTRY

AT MWANZA

MISC CIVIL APPLICATION NO. 157 OF 2020

(Originating from Civil Appeal No. 34/2020)

PETER JACKSON LUPENZA APPLICANT

VERSUS

NEEMA TEMU RESPONDENT

RULING

11/03/2021 & 16/03/2021

W. R. MASHAURI, J;

This is an application for leave to appeal to the court of Appeal of Tanzania. The same has been made under Section 5 (I)(c) of the appellate jurisdiction Act Cap. 141 RE: 019.

In the chamber summons the applicant is also asking for costs of the application and any other relief as this court may deem just to grant.

When the matter was called in court for hearing on 11/03/2021, Mr. Njau Advocate for the respondent notified the court that, the appellant in this appeal has filed notice of appeal to the court of appeal and he also intends to appeal to the court of Appeal and is one of the applicant is this application and the respondent has conceded to the application.

Mr. Peter Jackson Lupenza also conceded to the application and at the end of the day the two intended appellants to the Court of Appeal Peter Jackson Lupenza and Mr. Njau counsel for the appellant prayed this court to allow the application with no costs. The prayer was not objected by any of the remaining applicants.

Since the prayer to allow the application for leave to appeal to the Court of Appeal has been initiated by some of the applicants and conceded by other applicants, I find it nothing other than allowing the application as prayed by the applicants. The same is hereby allowed. No order as to costs in made.



W. R. Mashauri
W. R. MASHAURI

JUDGE

16/03/2021

Date: 16/03/2021

Coram: Hon. W. R. Mashauri, J


Applicant: } All present on line

Respondent: }

B/c: Elizabeth Kayamba

Court: Ruling delivered in court in all parties on line this 16th March, 2021.




W. R. MASHAURI
JUDGE
16/03/2021