

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

AT KIGOMA

(APPELLATE JURISDICTION)

MISC. LAND APPLICATION NO. 18 OF 2021

(Arising from the Ruling by the High Court in Misc. Land Appeal Case No. 12 of 2021 that was proceeded by Misc. Land Application No. 44 of 2020, originating from Kigoma District Land and Housing Tribunal Land Appeal Case No. 1 of 2016 that commenced at Simbo ward Tribunal as Land Case No. 5 of 2015)

MARIAM D/O ATHUMANI.....1ST APPLICANT

MWAJUMA D/O ATHUMANI2ND APPLICANT

VERSUS

CHAUSIKU D/O HAMIS.....RESPONDENT

R U L I N G

24th & 24th May, 2021

A. MATUMA, J.

This is an application for extension of time for the applicants to file an appeal out of time against the decision of the District Land and Housing Tribunal.

Mr. Kagashe Learned Advocate who represented the applicants submitted through his affidavit in support of the application that the applicants found themselves out of time to appeal because earlier on, they had their appeal in time Misc. Land Appeal No. 12/2021 which was however struck out for having been wrongly drafted. That by the time such appeal was struck out, the time to re-appeal against the impugned decision had



already elapsed hence this application. Mr. Sadiki Aliko learned advocate who represented the respondent did not object this application. He was of the view that let this application be granted so that they can meet on merit of the matter which he has hopes of success.

In the circumstances of the applicants' affidavit as herein reflected and the fact that the respondent did not have any objection, I am satisfied that this application has been brought with sufficient cause and I accordingly allow it without any costs. The applicants are given fourteen days from today within which they should lodge their intended appeal.

It is so ordered.




A. Matuma

Judge

24/05/2021

Court: Ruling delivered in presence of the applicants and his Advocate Mr. Kagashe and in the presence of the respondent with his Advocate Mr. Sadiki Aliko.

Sgd: A. Matuma

Judge

24/05/2021