

**THE HIGH COURT OF TANZANIA
(IN THE DISTRICT REGISTRY)
AT MWANZA**

MISC. LABOUR APPLICATION NO. 10 OF 2021

(Originating from Labour Revision No. 10 of 2021)

NORTH MARA GOLD MINE LIMITED APPLICANT

VERSUS

WANDIBA JUSTUS SUNGURA RESPONDENT

RULING

Date of last order: 31.05.2021

Date of Ruling: 31.05.2021

A.Z.MGEYEKWA, J

This an application for execution whereas, the applicant prayed for a stay of execution of the award of the Commission for Mediation and Arbitration at Mwanza in Dispute No. CMA/ MUS/ 269/ 2019 which was issued on 14th January, 2021 pending hearing and determination of Revision No.10 of 2021. This application was filed by the applicant on 10th March, 2021 supported by an affidavit deponent by Mr. Elisha

Kagoro, Human Resource officer of the applicant. The respondent did not oppose the application.

When the matter was called for hearing on 31st May, 2021 Mr. Malongo, learned counsel represented the applicant whereas Mr. Majebele, learned counsel represented the respondent. The learned counsel for the applicant was the first to kick the ball rolling. Mr. Malongo was brief and straight to the point. He submitted that the applicant has filed an application for a stay of execution and under paragraph 12 of his affidavit, he stated that they want to deposit security.

In conclusion, the learned counsel for the applicant urged this court to grant the applicant's application.

The learned counsel for the respondent had no any objection. He urged this court to order the applicant to deposit the said security. By consent of both parties, it was agreed that the application be granted save for costs.

As prayed by the applicant's Advocate and Mr. Majebele, learned counsel for the respondent has conceded, I have only one option to grant the applicant's Advocate request. Therefore, I proceed to grant the applicant's application for stay of execution of the award of the

Commission for Mediation and Arbitration at Mwanza in Dispute No. CMA/ MUS/ 269/ 2019. The applicant is ordered to deposit security for payment of the decretal amount within thirty days from today.

Order accordingly.

Dated at Mwanza on this 31st May, 2021.




A.Z.MGEYEKWA
JUDGE
31.05.2021

Ruling delivered in Chamber on 31st May, 2021 in the presence of Mr. Malongo, learned counsel for the applicant, and Mr. Majebele, learned counsel for the respondent.


A.Z.MGEYEKWA
JUDGE
31.05.2021