

IN THE HIGH COURT OF TANZANIA
IN THE MWANZA DISTRICT REGISTRY

AT MWANZA

MISC. CIVIL APPLICATION NO. 60 OF 2021

ALICE KAMBONA GILYOMA &

ROSE MBOGO GILYOMAAPPLICANTS

VERSUS

JAPHET MBOGO GILYOMA.....THE DECEASED

RULING

28th & 30th June, 2021

RUMANYIKA, J

With respect to house on Plot Na. 3/2 Block "A" Kisoko Luchebele area, Nyamagana district, property of the late Japhet Mbogo Gilyoma (the estate), the application for waiver of bond and sureties is brought under Section 67 of the Probate and Administration of the Estates Act Cap. 352 RE. 2019 (the Act) along with Probate Cause No. 07 of 2021, the application is supported by affidavit of Alice Kambona Gilyoma and Rose Mbogo Gilyoma (the 1st and 2nd applicants) respectively, whose contents Mr. S. John learned counsel adopted during audio teleconference hearing

employers) they attempted but failed to procure surety(s) much as no reasons for their failure were stated in the supporting affidavit in the first place.

I would increasingly hold that for the betterment of the heirs hence a conclusively and fairly determined probate cause, capacity, commitment and honesty of the administrator it was paramount and key factors to be considered therefore no any short cuts. Doubtful administrators therefore had no room.

In the upshot, the application is dismissed. It is so ordered.

Right of Appeal explained.



S.M. RUMANYIKA
JUDGE
30/06/2021

The ruling delivered under my hand and seal of the court in chambers this 30/06/2021 in the absence of the parties.



S.M. RUMANYIKA
JUDGE
30/06/2021