

**THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA**

**MOSHI DISTRICT REGISTRY**

**AT MOSHI**

**PROBATE AND ADMINISTRATION CAUSE NO. 7 OF 2020  
IN THE MATTER OF ESTATE OF THE LATE KAMBINI SAMBETA**

**AND**

**IN THE MATTER OF AN APPLICATION FOR LETTER OF  
ADMINISTRATION BY:- 1. JULIAS KAMBINI, 2. MOSES KAMBINI,  
3. ISSAYA LAIZER, 4. ABEL KAMBINI**

20<sup>th</sup> May & 11<sup>th</sup> June, 2021

**RULING**

**MKAPA J.**

The petitioner Julius Kambini, Moses Kambini, Issaya Laizer and Abel Kambini are among the sons of the deceased. They have petitioned for grant of letters of administration of the estate of their late father Kambini Sembeta (the deceased) who died intestate on 15<sup>th</sup> May 2008 at Machame Hospital in Kilimanjaro. The deceased is survived by five widows and fourteen children.

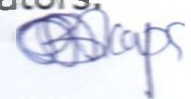
Mr. Stephen Mushi learned advocate appearing for the petitioners, on 18/05/2021 moved the court to the hearing of this petition. He informed the court that after lodging this petition on 9<sup>th</sup> October 2020 the court issued citation on 15<sup>th</sup> October, 2020. The publication as ordered by the Court was carried out in the **Mwananchi**

**Newspaper** of the 3<sup>rd</sup> day of November, 2020 at page 25, as well as in the **Gazeti la Jamhuri ya Muungano wa Tanzania** dated 30<sup>th</sup> October, 2020 at page 88 and todate no objection has been preferred.

Lekuti Kambini and Emmanuel Jacob Sembeta both testified that a clan meeting was held at Bondeni Hai Kilimanjaro region and nominated the petitioners to petition for letters of administration of the estate of their late father. They told the court that assets likely to be the subject to administration are:

- a) Tanzanite mining factory No. 41935, Block D located at Mererani.
- b) Unsurveyed Plot measuring 21 Acres located Bondeni Hai Kilimanjaro – Tanzania.
- c) Unsurveyed Plot measuring 3 ½ Acres located at Faraji Mbatakero, Hai Kilimanjaro – Tanzania
- d) Domestic animals including 100 cattle's, 50 goat and 25 sheep.

Having heard the parties, the question to be asked is whether the petitioners are qualified to be appointed as administrators.



It is indeed correct that since the citation and publication in Mwananchi Newspaper has been made on 3<sup>rd</sup> November, 2020 to date no one has objected to the petition. This is a sign that the clan has a trust to the petitioners thus qualified to be granted the letters of administration of the deceased estate.


I hereby proceed to order that the petition has been granted. The petitioners Julius Kambini, Moses Kambini, Issaya Laizer and Abel Kambini are hereby appointed as administrators of the estate of their father, the late Kambini Sembeta.

Administrators are further directed to file in this court inventory of the deceased estate within six months from the date of this ruling as required under section 107 (1) of the Probate and Administration of Estate Act, Cap 352 [R.E. 2019]. Thereafter, should file account of estate within one year from today.

It is so ordered.

Dated and delivered at Moshi this 11<sup>th</sup> day of June, 2021.



  
**S.B. MKAPA**  
**JUDGE**  
**11/06/2021**