

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA  
(DAR ES SALAAM DISTRICT REGISTRY)**

**AT DAR ES SALAAM**

**MISC. MATRIMONIAL APPLICATION NO. 408/OF 2021**

*(Arising from Matrimonial Appeal No. 78 of 2020 of Kinondoni District Court before Hon.  
D.D. Mlashan - RM)*

**LEILA HAMIS MLENZI..... APPLICANT**

**AND**

**SHABAN ABDU MSOVU.....RESPONDENT**

**RULING**

7/10/2021 & 27/10/2021

**I.C. MUGETA, J.**

The reason for the delay to appeal which has led to this application is that the applicant was not supplied in time by the court the judgement of the first appellate court for Appeal purposes hence, this application for extension of time to appeal out of time. The respondent did not file counter affidavit and on the hearing date he said he does not oppose the application. Failure to supply documents for appeal purpose is a sufficient cause to allow applications of this nature. On accounting for each day of the delay, the affidavit has it that the judgment was supplied on 2/8/2021 and this application was filed on 20/8/2021 which is a reasonable time within which to act. On the foregoing, I hereby hold that the application not only has

merits but is also unopposed, therefore I grant. The intended appeal to be filed within 14 days from the date of this order.

**I.C. MUGETA**

**JUDGE**

**27/10/2021**

**COURTS:** Ruling delivered in chambers before the parties and Mashaka Ngole, Advocate for the applicant.

**Sgd: I.C.MUGETA**

**JUDGE**

**27/10/2021**