

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

MISCELLANEOUS APPLICATION NO. 477 OF 2021
(Originating From Probate and Administration Cause No. 2 of 2019)

**IN THE MATTER OF THE ESTATE OF THE LATE JUSTICE ROBERT
HABESH KISANGA
AND
IN THE MATTER OF ANA PPLICATION FOR GRANT OF LETTERS OF
ADMINISTRATION BY MARIA EZRA KISANGA**

RULING

17th December 2021

MASABO, J.:

The applicant, Maria Ezra Kisanga, was on 20th May 2019 granted letters of administration of the estate of her husband, the late Justice Robertt Habesh Kisanga. Further to the appointment, she was directed to exhibit an inventory of the estate within 6 months and to account for her administration but, as of today she has not accomplished the administration task. She is now before this court seeking enlargement of time within which to accomplish the administration.

Through the service of Apex Attorneys, she has moved this court under Rule 109(1) and (2) of the Probate Rules, GN No. 369 of 1963. Accompanying the chamber summon is an affidavit deposed by the applicant in which she states that having commenced the administration of the estate and making a good progress she could not finalise it owing to multiple ailments. She thus seeks an extension of time with which to accomplish her task.

The application was uncontested. In support of the application, her counsel, Mr. Mohamed Muya, submitted that the delay in accomplishing the administration was caused by reasons other than the applicant's own negligence. It was argued further that, as illness is accepted as a good cause upon which to exercise the court's discretion in enlargement of time for performing respective legal actions beyond the time limit, this court be pleased to grant the application so as to allow the applicant to complete the remaining task which has commenced and is at a promising stage.

Having considered the ground advanced in support of the application and the stage of accomplished thus far, I have come to a conclusion that a good cause upon which to extend the time has been demonstrated. The time

within which to complete the administration and file the final accounts in court is hereby extended for a period of three (3) months reckoned from the date of this ruling.

DATED at DAR ES SALAAM this 17th day of December 2021

17/12/2021

X 

Signed by: J.L.MASABO

J.L. MASABO
JUDGE

