

IN THE HIGH COURT OF TANZANIA  
(DISTRICT REGISTRY OF MTWARA)

AT MTWARA

MISC. CRIMINAL APPLICATION NO 8 OF 2022

*(Originating from Ruangwa District Court Criminal Case no 17/2021)*

MUSSA ISMAIL SAIDI..... APPLICANT

VERSUS

THE REPUBLIC..... RESPONDENT

*Date of hearing:13/06/2022*

*Date of Ruling:13/06/2022*

**RULING**

**MURUKE, J.**

Musa Ismail Said has filed an application for extension of time to file appeal out of time. He has only attached an affidavit sworn by himself and proceedings of the trial court in Criminal Case number 17/2021 of Ruangwa District Court, at Ruangwa.

Respondent counsel, objected to the application on failure by applicant to attach, Judgment sought to be challenged. Upon being asked by the court, appellant who was in person supplied copy of the Judgment to the court and learned State Attorney, who immediately went through the same. In the end, he told this court that, he is objecting to the prayer in the chamber summons. Indeed, applicant is seeking right to be heard, which is one of the principal of natural justice. Failure to observe principal of natural justice,

(right to be heard) is violation of one's right, insisted in the Constitution of United Republic of Tanzania of 1977 as amended.

Thus, application for extension of time granted. Intended appeal to be filed within 45 days from today. It is so ordered



A handwritten signature in blue ink, appearing to read "Z. G. Muruke".

**Z. G. Muruke**

**Judge**

**13/06/2022**

Ruling delivered in the presence of Wilbroad Ndunguru State Attorney for the Respondent and in the presence of applicant in person.



A handwritten signature in blue ink, appearing to read "Z. G. Muruke".

**Z. G. Muruke**

**Judge**

**13/06/2022**