

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA  
IN THE DISTRICT REGISTRY OF SHINYANGA  
AT SHINYANGA**

**LAND APPEAL NO. 6 OF 2022**

*(Arising from Misc. Civil Application No. 16 of 2021 of Shinyanga District Court, Original Civil Case No. 3 of 2021 at Ilola Primary Court)*

**MBAGWA MHOJA.....APPELLANT**

**Versus**

**KOSAI KASANGA.....RESPONDENT**

*Date of Last Order: 28/06/2022*

*Date of Ruling: 28/06/2022*

**RULING**

**S. M. KULITA, J**

The parties are not present. Upon going through the Petition of Appeal which was lodged in time by the Appellant, I have noted that it is registered as a Land Appeal case while the matter originates from the Civil Case.

At Ilola the Primary Court the matter was registered as Civil Case No. 3 of 2021 .Upon the application for extension of time being filed at Shinyanga District Court, it was registered as a Misc. Civil Application No. 16 of 2021 which is right.

The fact that the original matter is the Civil Case, it was wrong for this appeal to be titled and registered as a Land Appeal. Consequently, I

hereby strike out this appeal with leave to refile the same as a Civil Appeal.

That should be done in 30 (thirty) days period from today.



**S. M. Kulita**  
**JUDGE**  
**28/6/2022**

Dated at **SHINYANGA** this **28<sup>th</sup>** day of **June, 2022.**



**S. M. Kulita**  
**JUDGE**  
**28/6/2022**