

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

**LAND APPEAL NO. 15 OF 2022**

*(Arising from the Decision of the District Land and Housing Tribunal of Shinyanga at Shinyanga in Land Appeal No. 30 of 2020, Original the Decision in Land Application No. 11/120 of 2020 at Ndembezi Ward Tribunal)*

**SOLO SAID .....APPELLANT**

**Versus**

**JACOB WILLIAM.....RESPONDENT**

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

**RULING**

**S. M. KULITA, J**

This is a Preliminary Objection on point of law. Advocate for the Respondent, Mr. Geoffrey Tuli raised a Preliminary Objection that the appeal has been filed contrary to the requirement of section 38(2) and (3) of the Land Disputes Court Act [Cap 216 RE 2019] which requires the appeals originating from the Ward Tribunal to be lodged at the District Land and Housing Tribunal, not at the High Court.

On the other hand the Respondent admits that he wrongly filed this appeal at High Court, but he did so for not knowing the procedures.

That being the case, I hereby find the Preliminary Objection with merit as the said provision is clear that, land appeals originating from the Ward Tribunal are used to be lodged at the District Land and Housing Tribunal in which the said Ward Tribunal is located.

In upshot I hereby strike out the appeal with leave to refile at the proper venue which is the District Land and Housing Tribunal at Shinyanga. That should be done within a period of 14 (fourteen days) 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**