

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA**  
**(TEMEKE HIGH COURT SUB-REGISTRY)**  
**(ONE STOP JUDICIAL CENTRE)**  
**AT TEMEKE**

**MISC. CIVIL APPLICATION NO. 3 OF 2022**

**SWINE JUMA MVUNGI..... PETITIONER**

**VERSUS**

**YUSRAF BAKTAZAR MACHA..... RESPONDENT**

**RULING**

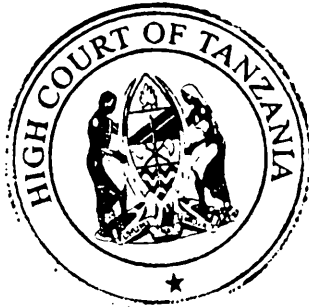
*25/4/2022 & 27/4/2022*

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

The applicant has applied for orders that the court grant him leave to appeal out the prescribed time. The impugned decision was delivered on 31/2/2021. According to paragraph 4 of the affidavit, he was supplied with copy of the judgment on 15/8/2021 and, thereafter, he struggled to find a lawyer and was advised to file this application. Before he filed it he fell sick for undisclosed period. This application was filed on 8/2/2022. However, if it shows that it was filed on 8/2/2021. I believe the year 2021 is a typing error as by then even the impugned judgment had not been delivered.

It is settled that in order to be granted extension of time, the applicant must account for each day of the delay. Therefore, if the documents were supplied in August, 2021, it means the applicant spent the period between August 2021 and February, 2022 looking for a lawyer. By any standard that period is too long and the delay is inordinate. The allegation that he was sick is unsubstantiated because there is no medical report that he was admitted at any hospital or excused from duty for that long.

In the event, I find the application without merits. I dismiss it with costs.



*Mugeta*  
**I.C. MUGETA**

**JUDGE**

**27/4/2022.**

**Court:** - Ruling delivered in chambers in the presence of the respondent who appeared in person, applicant is absent.

**Sgd: I.C. MUGETA**

**JUDGE**

**27/4/2022.**