

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

AT SHINYANGA

LAND CASE NO. 3 OF 2021

- | | | |
|---------------------------------|---|-------------------|
| 1. TUNGU MASASILA..... | } | PLAINTIFFS |
| 2. SAMWEL MARCO..... | | |
| 3. MAGILE GIBE..... | | |
| 4. ANNA LUSASI..... | | |
| 5. SELEMANI KAZARHO..... | | |
| 6. YACHAMA MAKINDA..... | | |
| 7. NANAYI NCHOLA..... | | |

VERSUS

- | | | |
|---------------------------------------|---|-------------------|
| 1. MEATU DISTRICT COUNCIL..... | } | DEFENDANTS |
| 2. MWANDOYA VILLAGE COUNCIL | | |
| 3. ATTORNEY GENERAL..... | | |

RULING

31st May 2022

MKWIZU, J

The plaintiff suit against the defendants is for an order for payment of Four Hundred Million Tanzania shillings (400,000,000/=) as compensation of their land measuring 20 acres allegedly taken by the defendants without compensation. At the preliminary stages and before the completion of the pleadings, Ms Getrude Faustine, holding the brief of Mr. Joseph Ole Shangai for the plaintiff prayed for the withdrawal of the suit under Order XXIII Rule 1(3) of the CPC Cap 33 RE 2019 with no order as

to costs. Mr. Kalenda the learned State Attorney for the respondent had no objection to the payer.

Since parties agrees on the payer made without qualification, I proceed to marking the suit withdrawn under Order XXIII Rule 1(3) of the CPC (Cap 33, RE 2019) with no order as to costs.

Dated at Shinyanga this 31st day of May 2022


E.Y. MKWIZU

JUDGE

31/5/2022