

**IN THE HIGH COURT OF TANZANIA
IN THE DISTRICT REGISTRY OF SHINYANGA
AT SHINYANGA
MISCELLANEOUS LAND APPLICATION NO. 67 OF 2020
MANG'ALA JOSEPH MANG'ALAAPPLICANT
VERSUS
SIMIYU MLYANG'HONGERESPONDENT**

RULING

16 March, 2022

A. MATUMA, J.

The applicant prays for extension of time to apply for an order setting aside the dismissal order of miscellaneous land application no. 31 of 2019 dated 22/04/2020.

The grounds upon which this application has been brought is that, he was not aware of the dismissal order as he was told by the Court clerk to await his application to be assigned to the judge.

The respondent has been served but deliberately refused stating as per endorsement on the summons;

"Amegoma kusaini hataki kuendelea na kesi"

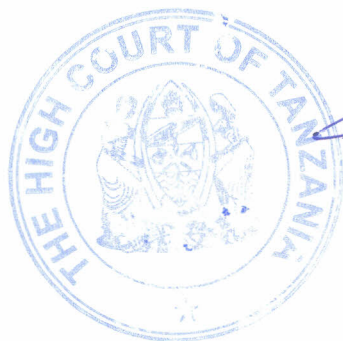
That is an endorsement of the ward Executive Officer dated 15/2/2022 and dully and stamped.

In the circumstances, I take this application to have not been opposed by the Respondent and I find the ground raised is sufficient to warrant the extension sought.

I accordingly allow this application and grant the applicant fourteen days from today within which he should bring his application for setting aside the dismissal order.

No orders as to costs.

It is so ordered.



A. MATUMA K
Judge
16/03/2022