

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

**MISC. LAND APPLICATION NO. 06 OF 2021**

*(Originating from Maswa District Land and Housing Tribunal in land Appl. 103 of 2018)*

**EMMANUEL EZEKIEL..... APPLICANT**

**VERSUS**

- 1. ROBERT K. LWAMUZIGI.....1<sup>ST</sup> RESPONDENT**
- 2. KENEDY ELIAS LALI.....2<sup>ND</sup> RESPONDENT**
- 3. BARIADI DISTRICT COUNCIL.....3<sup>rd</sup> RESPONDENT**
- 4. THE SOLICITOR GENERAL.....4<sup>TH</sup> RESPONDENT**
- 5. THE ATTORNEY GENERAL.....5<sup>TH</sup> RESPONDENT**

**RULING**

7<sup>th</sup> March, 2022

**A. MATUMA, J.:**

In the circumstances that the Applicant prayed for withdrawal of the suit without costs and advanced the grounds for his withdraw to be jurisdiction of the tribunal as some necessary parties were to be joined who would necessitate the matter to be filed in the High Court, and in the circumstances that the Hon. Chairman of the Tribunal in allowing the prayer condemned costs against the Applicant, and in the circumstances that the 1<sup>st</sup> respondent initiated bill of costs in which he was granted Tshs. 2,530,000/- against the Applicant, I find it in the interest of justice to allow this application so that the Applicant appeals to avail this court with the original records to satisfy itself of the correctness of the orders thereto.

I therefore allow this application and grant the Applicant fourteen days within which he should lodge his appeal.

It is so ordered.



  
**A. MATUMA**  
**JUDGE**  
**07/3/2022**