

**IN THE HIGH COURT OF TANZANIA
(DAR ES SALAAM DISTRICT REGISTRY)**

AT DARE ES SALAAM

LAND CASE NO. 23 OF 2022

(From Land Case No. 21 of 2015)

**THE REGISTERED TRUSTEES OF MADRASATUL
QADDRIAYAH.....PLAINTIFF**

VERSUS

KHATIB ALLY KABAMBURA.....1ST RESPONDENT

SEIF OTHMAN..... 2ND RESPONDENT

MTORO JUMBE3RD RESPONDENT

SAID OTHMAN SAID.....4TH RESPONDENT

ABUBAKARI ABDULRAHMAN SHARIF5TH RESPONDENT

RULING

Date of last Order: 27/9/2022

Date of Ruling: 27/9/2022

MGONYA J,

Before the Court is an Application whereby the Applicant herein **THE REGISTERED TRUSTEES OF MADRASATUL QADDRIAYAH** is praying before the court for an order to include the prescription of the suit property in the 1st paragraph of the Consent Settlement Order thereto; being particulars and location of the suit property being **PLOT No. 6 Block 39 Kariakoo, Ilala within the City of Dar es Salaam** which was missing thereto.

In essence, the above prayer has not been objected by all the Respondents who were present before the court.

By this Order under **Section 97 of the Civil Procedure Code, Cap 33 [R. E. 2019]**, I proceed to amend the 1st paragraph to the Consent Settlement Order **1:0 DISPUTED PROPERTY** to read as herein below:

1.0 DISPUTED PROPERTY:

"The Parties have agreed to divide ownership of the Suit Property being **PLOT No. 6 BLOCK 39 KARIAKOO AREA**, at **ILALA MUNICIPAL within the City of DAR ES SALAAM** by, **60%** to be for the 'Wakf' for the Madrassa and **40%** to Mr. Khateb Ally Kambambura as Administrator of the Late Sheik Khateb Seleman Kissessa."

The above drafted clause is respectively replacing the 1st para i.e. 1:00 to the Consent Settlement Order duly signed by the parties to the same on 25/7/2017 respectively.

I make no order as to costs.

It is so ordered.



A handwritten signature in blue ink, appearing to read "L. E. Mgonya".

L. E. MGONYA
JUDGE

27/9/2019