

**IN THE HIGH COURT OF TANZANIA
IN THE DISTRICT REGISTRY OF DODOMA
AT DODOMA**

LAND APPEAL NO. 6 OF 2022

1. MWANA JIWESE	}APPELLANTS
2. MWASITI SAIDI		
3. BERNARD SALUMU		
4. HAMISI SALUMU		

VERSUS

PETER MTATURU MANDIRESPONDENT

**(Arising from the Judgement of the District Land and Housing Tribunal-
Iramba @ Kiomboi)**

(B. J. Shuma – Chairman)

Dated 15th December, 2021

In

Land Application No. 36 of 2018

RULING

03rd November, 2022

MDEMU, J.:

This is an appeal challenging the decision of the District Land and Housing Tribunal (DLHT) of Iramba delivered on 15th of December, 2021. The appeal was filed on 5th of February, 2022. In terms of the Law, appeals to this Court from the DLHT exercising its original jurisdiction have to be filed within 45 days from the date of the decision.

Given the record, it is obvious that the instant appeal is out of time. The Appellants stated that the appeal is in time because the person who processed their appeal told them to have filed the appeal in time, and by then, six (6) days had left to the limitation period of forty five (45) days.

This however may not be evidence as to when the appeal got received in Court. The appeal is considered to be duly filed when it is received and endorsed by the Registry Office in Court and not the date it was signed by the Appellant. That said, the remedy open for the appeal filed out of time is to dismiss it, as I hereby do. Each part to bear own costs.

Order accordingly.



Gerson J. Mdemu
JUDGE
03/11/2022

DATED at DODOMA this 03rd day of November, 2022.



Gerson J. Mdemu
JUDGE
03/11/2022