

**THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE HIGH COURT OF TANZANIA
(DISTRICT REGISTRY OF MTWARA)
AT MTWARA**

PC. CIVIL APPEAL NO.02 OF 2022

*(Originating from Matrimonial Appeal No.05 of 2021 at the District Court of
Mtwara)*

ANAFI SALUM NYUNDO APPELLANT

VERSUS

SHAHARA ABDALLAH MNIHWIKA RESPONDENT

Date last order : 15/03/2022

Date of Ruling: 11/05/2022

RULING

Z.G. Muruke, J.

Appellant filed present appeal on 1st November, 2021. Since filing he has not appeared even once. For almost seven months now he has not appeared only Respondent alone is appearing. This court issued several orders, but, appellant has neglected or refused to heard to the court orders, this is not health situation. Court orders, once, issued need to be respected and adhered to. None compliance of court orders not only is a disrespect, but create chaos on entire administration of justice, this cannot be left to continue. I understand that door of the court must be wide open for furtherance of interest of justice, but not to the extent of allowing

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sloppiness. Thus, appellant failure to appear and prosecute his own case, for seven months is an indication that he has lost interest to prosecute his own appeal. Thus, Appeal dismissed for want of prosecutions with costs to be paid to the respondent. Execution to proceed, in terms of the District Court Decision in Matrimonial appeal number 05 of 2021 between the parties and Trial court Judgement.




Z.G. Muruke

Judge

11/5/2022

Ruling delivered today in the absent of appellant and presence of Respondent.




Z.G. Muruke

Judge

11/5/2022