

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

MISCELLANEOUS CIVIL APPLICATION NO. 12 OF 2021

(Originating from Shinyanga District court in civil Appeal No. 31/2019)

SARAH ELISHAAPPLICANT

VERSUS

**1. WINES PARKILOT }
2. YAHYA NCHAMBI }RESPONDENT**

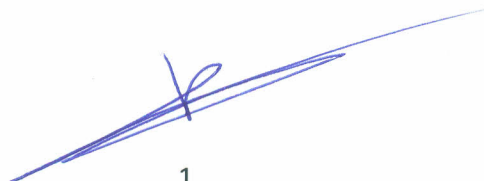
RULING

10 March, 2022.

A. MATUMA, J.

This application for extension of time is without any merits. The applicant states that, the cause of delay was due to sickness and the court delayed her the impugned judgment. All these grounds are not authenticated. I agree with the learned advocate for the respondents Mr. Emmanuel Sululu that this application has been brought as an after thought. The impugned judgment was delivered on 16/6/2020 and this application was filed on 11/5/2021 almost a year.

The legal requirement for extension of time is that the Applicant must account for each day of the delay. See the case of **Yahaya Rashidi and Another versus Kassim Masudi and 11 others, PC Civil Appeal No. 18 of 2021**, of the High Court at Kigoma and that of **Ngao Godwin Losero versus Julius Mwarabu, Civil Application No. 10 of 2015 (CAT)**.



In the instant matter the Applicant has lied that she was sick and admitted at Kambarage Health Center contrary to her medical sheet annexure A3 which indicates that she was merely treated as an out patient. Such annexure does not show continuation of the attendance to hospital but only a single day which was on 27/1/2020.

In that respect she attended to hospital even before the judgment was delivered on 16/6/2020. Her sickness if any was thus before judgment and no evidence that she was sick after the delivery of such judgment.

I therefore dismiss this application. Since the respondents are not interested with costs, I dismiss this application without costs.

It is so ordered.




A. MATUMA
JUDGE
10/3/2022