

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

AT SHINYANGA

MISCELLANEOUS LAND APPLICATION NO. 46 OF 2021

(Originating from District Land and Housing Tribunal for Shinyanga in Misc. Land Application No. 15/2020)

NKAMBA BUNDALA.....APPLICANT

VERSUS

THOMAS STEPHEN.....RESPONDENT

RULING

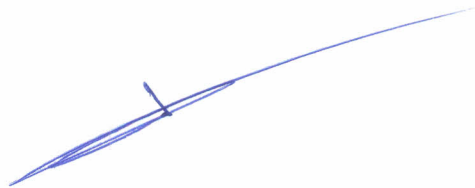
20 April, 2022

A. MATUMA, J.

This is an application for extension of time in which the applicant is intending to appeal against the decision of the District Land and Housing Tribunal for Shinyanga in Misc. Land Application no. 115 of 2020.

The Applicant was dully represented by Mr. Geoffrey Tuli learned advocate while the Respondent was absent.

Mr. Tuli learned advocate adopted his affidavit as his submission in support of this application. The ground stated in the affidavit for the delay is that they were delayed to be supplied with the impugned decision despite of requesting for it just a day after its delivery.



I have seen such letter of the learned advocate dated 18/12/2020 which was dully received by the trial tribunal on the same date as evidenced by stamp and signature thereof.

I have as well seen that the impugned ruling was ready for collection on 25/10/2021 when it was certified by the Chairman of the trial tribunal.

According to the learned advocate they were supplied with such ruling on 26/10/2021 and I have no reason to disbelieve him as the ruling itself was ready for collection just a day before the date when the Applicant states to have been supplied with the same.

This application was dully logged in this Court on 27/10/2021 jus a single day after they received the impugned ruling.

In the circumstances of what has been reviewed here in above, I am of the firm view that this application has been brought with sufficient cause.

The delay of the applicant to appeal in time was caused by the tribunal to delay supplying him with the impugned ruling for him to prepare sound grounds of appeal.

I therefore allow this application and grant the Applicant 21 days from today within which he should lodge his intended appeal.

In the circumstances of this matter I order no costs to either party.

It is so ordered.



A handwritten signature in blue ink, appearing to be 'A. Matuma', is written over the printed name.

A. MATUMA
Judge
20/04/2022