

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

**CRIMINAL APPLICATION NO.11 OF 2022**

*(Originated from Criminal Case No.68 of 2017 in the District Court of Kyela at  
Kyela)*

**BETWEEN**

**KONEL MWAKAPALA..... APPLICANT**

**VERSUS**

**THE REPUBLIC.....RESPONDENT**

**RULING**

*Date of Hearing: 09/05/2022*

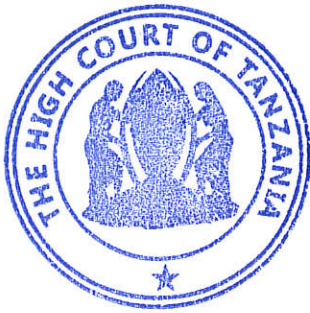
*Date of Ruling: 09/05/2022*

**MONGELLA, J.**

In this application, the applicant is seeking to be granted extension of time within which to lodge notice of appeal and appeal out of time. The reason he has advanced is that he filed an appeal, but the same was struck out for being time barred. He said that there was delay in obtaining copies of proceedings, which he never made followup due to not being aware that the same was also needed in lodging an appeal.

The respondent through, Ms. Rhoda Ngole, learned Senior State Attorney, supports the application for reasons being sufficient. This Court also finds the reasons advanced being sufficient, thus proceeds to grant the application.

The applicant is therefore given 45 days from the date of this Ruling to lodge the Notice of intention to appeal and the petition of appeal.



*L.M. Mongella*  
**L.M. Mongella**

**Judge**

**09/05/2022**