IN THE HIGH COURT OF THE UNITED REPLIC OF TANZANIA

(MOROGORO SUB-REGISTRY)

AT MOROGORO

MISC. LAND APPLICATION NO. 55 OF 2022

(Arising from the decision of the District Land and Housing Tribunal for Ulanga, at Mahenge in Land Application No. 4 of 2020)

FRANSISCA MICHAEL CHILONGOZI (As the Admnistratrix of the Estates of the Late Mikael Joseph Chilongozi) ..... APPLICANT

VERSUS

MARIA STEPHEN MLAMBITI ..... 1st RESPONDENT

MICHAEL MICHAEL CHILONGOZI .....2nd RESPONDENT

RULING

23rd October, 2023

CHABA. J.

On the 20th day of October, 2022, the applicant, Fransisca Michael Chilongozi, channeled to this court this application seeking the indulgence of the Court for enlargement of time within which to file an Application for Revision against the decision of the District Land and Housing Tribunal for Ulanga, at Mahenge in Land Application No. 4 of 2020 delivered on 26th October, 2022.

The application has been preferred by way of chamber summons made under the provisions of section 14 (1) of the Law of Limitation Act, [CAP. 89 R. E. 2019], and it is supported by an affidavit duly sworn by the applicant.

Although at the hearing of this application, the applicant appeared in person, and unrepresented, but his submission was drawn and filed in this Court by Mr. Bageni Elijah, the learned advocate. On the other hand, Mr. Jackson Mashankara, also learned advocate, entered appearance for the respondent.

In support of the application, Mr. Bageni commenced by adopting the applicant's affidavit to form part and parcel of her submission and thereafter amplified on the grounds forming the basis of the application which are: **One;** Applicants' belated knowledge of the case and subsequent probate proceedings and **Two;** The illegality of the decision subject of the intended Revision.

In support of the application, Mr. Bageni kicked the ball rolling by stating that application of this nature is grantable by discretion of the court but the applicant should exhibit the materials or sufficient reasons upon which the court can exercise its discretion. He said, though there is no hard and fast rule as to what amounts to sufficient cause, but it largely depends on the circumstances of each case. He cited the case of **Kibo Seed Company Limited vs Deusdedith Hunja and Others (Misc. Civil Application 2 of 2021) [2022] TZHC 10830 (12 July 2022)** to fortify his argument.

On the first ground, Mr. Bageni highlighted that the decision subject of the present application was delivered on 26/2/2020 in favour of the 1st respondent and the applicant became aware of it in April, 2021 when the case was at appellate stage. That is to say that, it was when the 2nd respondent herein

preferred an appeal against the 1st respondent, being sixty (60) days within which the time to file the intended revision proceedings had lapsed.

He argued that, the applicant claims to have some interest over the suit land because the same belongs to her late father Michael Joseph Chilongozi, and at the time she became aware of the case, she was not yet appointed as an administratrix of his late father's estate. So, in the circumstance she had no other option rather than to initiate probate proceedings which took her a couple of days and immediately thereafter, the applicant lodged a case at Madibira Ward Tribunal (Land Application No. 233 of 2022) for mediation and the same was terminated on 21/7/2022 after the same was marked failed. Afterwards, the applicant approached a lawyer for necessary help but it would appear that she was impromptu. Therefore, she consumed some days to mobilize the necessary documents for lawyer's proper advice.

Based on the above details, Mr. Bageni asserted that it is clear that the applicant had no legal capacity to take necessary action over the suit land unless she was duly appointed as legal representative of her late father, a process that took a considerable number of days as alluded to herein above. It was Mr. Bageni's view that, since the above piece of evidence was uncontroverted, it forms a unique and good cause for delay to warrant condonation of time for the applicant to lodge the intended revision matter.

As regards to the second ground of illegality, Mr. Bageni commenced to argue the point by referring this court to the case of **Principal Secretary,**

Ministry of Defence and National Service Vs. Valambhia (1992], TLR, 185 (CA) and that of **Kashinde Machibya Vs. Hafidhi Said**, Civil Application No. 48 of 2009 (unreported) and contended that, if the question of illegality of the decision sought to be challenged is at issue, the court has no option to grant extension of time irrespective of whether or not the applicant has accounted for delay.

He argued that, in this case, it is not disputed that the suit land has been subject of multiple cases since 2017 litigated by the same parties and/or their privities, but in all of the cases, the same were for and or against a person without *locus standi*. The Counsel reproduced paragraph 5 of the affidavit for ease of reference, clarity and better understanding of the point of law deposed by the applicant, to wit: -

> *"That before this matter, the suit land was adjudicated before Mtimbira Ward Tribunal as Application No. 21 of 2017 between Kassian John Likalangu Versus Juma Chilongozi. While the applicant was the 1" respondent's cousin, the respondent was the same but sued in the names of Juma Chilongozi who is also known as Michael Michael Chilongozi. The matter went on appeal to the same Ulanga District and Land Housing Tribunal vide Appeal No. 193 of 2019.The Applicant LOST BOTH HIS CASE AND APPEAL before he further appealed to the High Court of Tanzania vide Misc. Land Appeal No. 46 of 2019 Kasian John*

Likalangu Versus Juma Chilongozi in which case the appeal was struck out. Annextrure marked FMC2 refer and leave of the court is craved to refer to them as part of this affidavit."

Basing on the above deposition, Mr. Bageni asserted that the complaint as to capacity of a party in any proceedings is a legal question which should be resolved as it is not disputed that the house built on the disputed suit land was built by the applicant herein for Chilongozi's family and it is where the respective family members reside.

In conclusion, Mr. Bageni wound up his submission by underlining that, in this case the applicant acted as prompt as possible and she has also exhibited nothing other than good faith, hence urged this court to grant this application.

Responding to the applicant's submission, Mr. Jackson Thomas Mashankara, learned advocate for the 1st respondent after adopting his counter affidavit, went on submitting that the applicant's application has already been over taken by event on the ground that, the impugned decision in Land Application No. 04 of 2020 from the District Land and Housing Tribunal for Ulanga, at Mahenge which declared the 1st respondent to be a lawful owner of the suit land, and is intended to be revised upon this application being granted, has already been executed by the 1st respondent via Application for Execution No. 01 of 2021. And further that, the Court Broker one Kabango General Business (T) Ltd has already handed over the suit property measuring 3 ¼

acres to the 1st respondent on 05/05/2022 and the respective report has already been sent to the executing tribunal.

Mr. Mashankara argued that, since the execution has been carried out, this court cannot grant extension of time even if it has caused substantial loss to the applicant and no order that can undo the same. To bolster his contention, Mr. Mashankara cited a persuasive authority of this court in the case of **Fatuma Rashid Vs. Pendo Stivin**, Misc. Land Application No. 15 of 2021, HCT Morogoro – Sub-Registry (unreported), where my brethren (Hon. Ngwembe, J., As he then was) upon being confronted with a similar scenario had the following to state:

> *"Above all, the application becomes an academic exercise because the whole of execution has already been completed and closed".*

Placing reliance on the above holding of this court, Mr. Mashankara invited this court to adopt the same stance and dismiss the application on the ground of being devoid of merit.

Submitting against the first ground, it was his submission that, going by the records of the present case file, the impugned decision which is intended to be revised was delivered on 26/10/2020 and this application was lodged before this court on 20/10/2022. Thus, looking at the time limits for filling a revision is sixty (60) days, it means that by simple calculations, it is obvious

that the applicant had delayed for almost 664 days, which is inordinate delay that ought to be accounted for by the applicant.

Mr. Mashankara stressed that, considering the surrounding circumstance of the matter at hand, no doubt that the applicant has totally failed to account for the inordinate delay of 664 days. To cement his proposition, he cited the case of **Bushiri Hassan Vs. Latifa Lukio Mashayo**, Civil Application No. of 2007 (unreported) and **Ratnam Vs. Cumarasamy and Another (1964) 3 ALL ER 933 at page 935,** where in the later it was held:

> *"The rules of court must prima facie be obeyed and, in order to justify a court in extending time during which some step in procedure requires to be taken, there must be some material on which the court can exercise its discretion. If the law were otherwise any party in breach would have an unqualified right to extension of time which would defeat the purpose of rules which is to provide a timetable for the conduct of litigation".*

He averred further that, 1st respondent is energetically disputing the fact deposed by the applicant in her affidavit and afterwards elaborated in her submission in chief that she became aware of the previous cases while the same were already reached at the appellate stage. Giving the reason, the counsel highlighted that the applicant and the 2nd respondent, Michael Michael Chilongozi are of blood relatives, hence it was not possible that the applicant

was not aware of the case, herein Land Application No. 04 of 2020 before the DLHT for Ulanga between 1st respondent and the 2nd respondent.

Arguing on the second limb of ground of illegality, Mr. Mashankara stated that, there is no any single paragraph in the applicant's affidavit which shows that there is illegality or irregularity in Land Application No. 4 of 2020 worth to be revised, rather than being stated by the counsel for the applicant during submission in chief. He asserted that, such non-specification of the allegedly illegalities and irregularities in the supporting affidavit renders the same hopeless, because the law requires that, illegality must be apparent on the face of the record and not one that would be discovered by a long-drawn argument or process which is unacceptable in law as it was underscored by the Court of Appeal of Tanzania in **Moto Matiko Mabanga Vs. Ophir Energy Plc & Others (Civil Application 463 of 2017) [2019] TZCA 135 (12 April 2019),** wherein the Court ended to dismiss the application for lacking merit.

Mr. Mashankara was of the view that, the issue of *locus standi* alleged by the applicant in her submissions in chief, certainly cannot be discovered without taking a long-drawn process to decipher from the impugned decision.

In view of the above submission, the counsel for the 2nd respondent craved for the dismissal of this application forthwith for being devoid of merits with costs.

On his part, the 2nd respondent began his submission by adopting his counter affidavit and prayed the court to form part of his submission. He

accentuated that, the fact that the applicant became aware of the decision subject of this application very late and thereafter took some troubles to procure letters of administration which she obtained some days later, these facts constitute good cause for extension of time. He averred that, he is aware of the fact that the disputed suit land is the property of his late father, Michael Joseph Chilongozi. As such, the applicant could not open the case in his personal capacity. Thus, she was obliged to seek and obtain letters of administration first, the process which under normal circumstances could not be completed within few days. In his view, the first ground advanced by the applicant for extension of time has merit and enough to warrant this court exercise its discretionary power.

Concerning the second point of illegality or irregularity of the decision sought to be challenged, the 2nd respondent supported it in its entirety and averred that, in 2017 he happened to have locked horns with one Kassian John Likalangu who is a relative to 1st respondent herein, in Application No. 21 of 2017 whose subject matter (the suit land) is the same as that in Application No. 4 of 2020, subject of this application and that in both cases he was defending the suit land which in essence belonged to his late father, Michael Joseph Chilongozi. He emphasised that, by then he had no *locus standi* to pursue for the fore-stated cases because he was not an administrator of the estate of his late father as it was confirmed by the decision of this court (Mango, J.), in Misc. Land Appeal No. 46 of 2019 between Kasian John Likalangu Vs. Juma

Chilongozi. He added that, since the 1st respondent knew that he was dealing with a person who had no legal capacity (the 2nd respondent), he therefore prayed the court to consider this point of illegality in accordance with the law. He said, the same should not be left to stand. He so stressed.

In the end, the 2nd respondent did not hesitate to state that, since he was supporting the applicant's application, he therefore urged the court to grant the application as he believed that the same will actually help to promote finality of the cases over the land in dispute considering the background of the matter narrated herein above.

By way of rejoinder, Mr. Bageni reiterated what he averred in his submission in chief. Regarding to the 1st respondent's claim that the subject matter of this application has been overtaken by events, he rebutted that the alleged execution is against someone else other than the applicant and added that, the same does not bar further subsequent actions like appeal or revision between the same parties over the same subject matter provided that there are good causes to do so.

As to the question whether the applicant advanced sufficient good cause and managed to account for the reasons for delay, Mr. Bageni submitted that the 1st respondent's submission that the applicant was aware of the case because she is a blood relative to the 2nd respondent, is merely a submission from the bar as it was not pleaded or deposed in the 1st respondent's counter affidavit.

As to the 1st respondent's assertion that the ground of illegality was not shown in the applicant's affidavit, Mr. Bageni substantiated that, the same is found under paragraph 5 of the affidavit and its corresponding annexture FMC2 which was not seriously disputed at all. In the end, he beseeched the court to grant the application with costs.

Having considered the rival submissions advanced by the counsels from both sides and upon carefully examined the records of this application and the parties' pleadings, the issue for determination and deliberation before this court is whether or not, the applicant has demonstrated sufficient reasons to warrant this court exercise its discretionary powers to grant the prayers sought by the applicant.

Before divulging into the merits of the application, I find it pertinent to start addressing the concern raised by the counsel for the applicant that the applicant's affidavit has not faced a serious objection from the 1st respondent's counter affidavit for a reason that, the contents of the counter affidavit do not dispute the facts deposed in the applicant's affidavit.

Without dwelling much on this issue, I tend to agree with Mr. Bageni's assertion. However, it is my considered view that, even if the application for extension of time is not contested, the applicant is still under duty to give sufficient cause for his delay. In other words, the guiding principles must stand as promulgated by the courts and further must be applied to weight out in the

eyes of the law that such an application has merits or otherwise. Having so stated, I now move to the determination of the present application.

As correctly submitted by both parties, I feel it is enlightening to reiterate, as a matter of general principle that whether to grant or refuse an application like the one at hand is entirely in the discretion of the court. But that discretion is judicial and so it must be exercised according to the rules of reason and justice, and not according to private opinion or arbitrarily. The defunct Court of Appeal for Eastern Africa in the case of **Mbogo Vs. Shah [1968] EA** held thus:

> *"All relevant factors must be taken into account in deciding how to exercise the discretion to extend time. These factors include the length of the delay, the reason for the delay, whether there is an arguable case on the appeal and the degree of prejudice to the defendant if time is extended".*

In another case of **Lyamuya Construction Company Limited Vs. the Board of Registered Trustees of Young Women's Christian Association of Tanzania,** Civil Application No. 02 of 2010, the Court of Appeal of Tanzania underscored the principle and held *inter-alia* that:

> *"On the authorities however, the following guidelines may be formulated:*
>
> *a) The Applicant must account for all the period of delay;*

b) *The delay should not be inordinate;*

c) *The Applicant must show diligence, not apathy, negligence or sloppiness in the prosecution of the action that he intends to take; and*

d) *If the court feels that there are other reasons, such as the existence of a point of law of sufficient importance, such as the illegality of the decision sought to be challenged".*

Coming to the merits of the application, the applicant pleaded that her belated knowledge of the case and subsequent probate proceedings as well as illegality of the impugned decisions are the reasons that forces her to seek for an extension of time within which she can file an application for revision against proceedings and decision of the DLHT for Ulanga, at Mahenge dated 26th October, 2020. As hinted above, it is entirely in the discretion of the court whether to grant or refuse an application for extension of time. That discretion is, however, judicial and so, it must be exercised according to the rules of reason and justice without forgetting that the deciding factor being the showing of "good cause" by the applicant. As to what it constitutes "good cause", this largely is dependent upon a variety of factors as enunciated in **Lyamuya's case** and **Mbogo Vs. Shah [1968] EA** (supra).

With all respect to the counsel for the applicant, I will reject the account straight away in as much as the first ground is concerned. Upon a thoroughly

perusal of the applicant's application and the rival submissions made by the parties, I have noted that the applicant has failed to account for the delays from April, 2021 when she was made aware of the subject matter of this application up to 27th June, 2022 when she was appointed as an administratrix of the deceased's estate, and further from 21st July, 2022 when the mediation before the ward tribunal instituted by the applicant in the capacity of being an administratrix of the deceased's estate was marked failed to 20th October, 2022 when the present application was filed in this court. Counting the days, it is almost more than 100 days of delays. Looking at the affidavit sworn by the applicant, the same has general explanations on the inaction of the applicant in the periods described herein above. In my considered view, Mr. Bageni neither attempted to advance plausible account of the length of the delay, nor narrated good cause for the delay. This is because, the same have never featured as good cause for extension of time in line with the guiding principles.

More-over, the applicant has failed to account for four days from 21th July, 2022 after the decision of the ward tribunal to 25th July, 2022 when she approached her lawyer regarding the matter, and from 25th July, 2022 to 10th October, 2022 when she received necessary documents for preparing and filing the matter at hand. In my view, there is no satisfactory explanations as to what the applicant was doing in such period of time. As the law demands, the applicant was supposed to account for each day of delay as it was expounded by the CAT in the case of **Tanzania Fish Processors Limited Vs. Eusto K.**

Ntagalinda, Civil Application No. 41/08 of 2018 (unreported), wherein the Court observed thus: -

> *"Despite the foregoing, there is a period from 6/12/2017 when the application for review was struck out and the time when this application was filed on 21/12/2017, which is termed as 'real or actual delay'. This is a period of about fourteen days which has not been accounted for by the applicant. In his submission, Mr. Mutalemwa did not explain away this delay. The law is clear that in an application for extension of time, the applicant should account for each day of the delay".*

Previously, the above position was enunciated by the Apex Court of the land in **Bushiri Hassan Vs. Latifa Lukio Mashayo,** Civil Application No. 03 of 2007 (unreported), where the Court explicitly emphasized that: -

> ***"...Delay of even a single day, has to be accounted for,*** *otherwise there would be no point of having rules prescribing period within which certain steps have to be taken." [Emphasis added].*

Applying the above authorities to the matter under scrutiny, it is glaringly clear that, the applicant has not been able to account for each day of delay, and therefore the first ground must fail.

In respect of the second ground of illegality, to be frank, I agree and subscribe to the submission made by the counsel for the 1st respondent and hasten to hold that, such an allegation is a mere statement from the bar. I say so because, on reviewing the affidavit sworn by the applicant in support of the application, it was not averred or canvassed at all. On this facet, I am inspired by the decision of this court in **Benny Josephaty Mdesa & Another Vs. National Microfinance Bank Plc (NMB Bank) & Others** (Misc. Land Application 8 of 2021) [2022] TZHC 12239 (19 August 2022) [Extracted from www.tanzlii.org], wherein upon being confronted with such a similar scenario, the Court observed that:

> *"Again, I find to be an afterthought the contention by Mr. Nziku that, the loan due amount is contested in the main suit as that fact is not pleaded in the 1st applicant's affidavit to form part of evidence in this matter but rather comes from the advocate's submission. It is trite law that, arguments and submission by an advocate in court cannot be a substitute of evidence, and therefore Court is barred from acting on it as part of the evidence to prove a certain fact.....In view of the above, I find the applicants have failed to establish the first condition as this Court cannot act on mere submissions or argument by the counsel not supported by the affidavit."*

According to the disposition made by the applicant in her sworn affidavit at paragraph 10, it is stated that, the failure to file this application timely was not caused by the applicant's inaction, negligence and / neglect but on her part but due to sufficient reasons stated under paragraphs 6, 7, 8 and 9 of her affidavit coupled with the fact that, she was a part to the original proceedings. I find it pertinent to reproduce the said paragraph for ease of refence, clarity and better understanding as hereunder:

> *"6. That, I personally am aware of the two cases both of them were opened when the late Mikael Joseph Chilongozi the owner of the suit land had already died. While the deceased died on 27th day of August, 1991 the two matters commenced on 2017 and 2020 respectively. I became aware of this matter, the subject matter of this application in April, 2021 at the appellate stage. The 2nd respondent appealed against the decision of the Trial Tribunal. On 18th March, 2022. The High Court dismissed the appeal as it was filed out of time. Annexture marked FMC 3 refers and leave of the court is craved to refer to them as part of this affidavit.*
>
> *7. That, I then presented the matter before a clan meeting when I was proposed to administer the estate before I was formally appointed by Madibira Primary Court on the 27th day of June, 2022. Annexture marked MK 4 refers and leave of the court is craved to refer to them as part of this affidavit.*

8. That, soon upon my appointment, I referred the dispute to the Madibira Ward Tribunal for mediation as Land Application no. 233 of 2022 against the respondents herein which proceedings were terminated on the 21st day of July, 2022. Annexture marked MK 5 refers and leave of the court is craved to refer to them as part of this affidavit.

9. That, on the 25th day of July, 2022, I approached my Advocate for advise, one Godfrey Francis Alfred (Advocate) who asked me necessary papers regarding the matter. It then took me several days to mobilise necessary papers from the 2nd respondent who gave me copies of annextures FMC 1 and 2 on the 28th day of July, 2022 and Mr. Mkali Advocate who gave me annexture FMC 3 on the 10th day of October, 2022 both being necessary papers for preparing and filing this matter in court before I handed over the same to my said Advocate on the 11th day of October, 2022 for his action. Annexture marked MK 6 collectively refer and leave of the court is craved to refer to them as part of this affidavit."

From the foregoing, it is crystal clear that, the ground of illegality was / is not featured in the afore-mentioned paragraphs of the affidavit deposed by the applicant. By way of rejoinder, Mr. Bageni departed from what the applicant deposed under paragraph 10 of her own affidavit and told the court that, the claim of illegality is found under paragraph 5 of the said affidavit. However,

upon taking a glaring look at the said paragraph, I found nothing in connection with the alleged illegality and the same was not made apparent as far as the illegality of the impugned decision in Land Application No. 4 of 2022 delivered by the DLHT for Ulanga, at Malinyi is concerned.

It is a cardinal stance of the law that, for the sake of finality and certainty, parties are bound by their own pleadings and they are not allowed to depart therefrom. This stance of law was articulated in a Kenyan case of **David Sironga Vs. Francis Arap Muge and Two Others [2014] EKLR,** where the Court of Appeal of Kenya held:

> *"It is well established in our jurisdiction that the court will not grant a remedy, which has not been applied for, and that it will not determine issues, which the parties have not pleaded. In an adversarial system such as ours, parties to litigation are the ones who set the agenda, and subject to rules of pleadings, each party is left to formulate its own case in its own way. And it is for the purpose of certainty and finality that each party is bound by its own pleadings. For this reason, a party cannot be allowed to raise a different case from that which it has pleaded without due amendment being made. That way, none of the parties is taken by surprise at the trial as each knows the other's case is as pleaded. The purpose of the rules of pleading is also to ensure that parties define succinctly the issues so as to*

guide the testimony required on either side with a view to expedite the litigation through diminution of delay and expense."

Similarily, in the case of **Registered Trustees of Islamic Propagation Centre (IPC) Vs. The Registered Trustees of Thaaqib Islamic Centre (TIC),** Civil Appeal No. 2 of 2020, CAT (unreported), the Court of Appeal of Tanzania had the following to state:

"For the sake of certainty and finality, each party is bound by his own pleadings and cannot be allowed to raise a different or fresh case without due amendment properly made. Each party thus knows the case he has to meet and cannot be taken by surprise at the trial...".

Reverting to the matter at hand, pleadings are contained in affidavit sworn by the applicant in support of the application. As stated above, parties are bound by what they pleaded in the said affidavit and counter affidavit. Since the applicant's affidavit is silent exhibiting that the applicant did not plead the issue of illegality as being one of the grounds for seeking for an extension of time, so as should be able to challenge the impugned judgment of the DLHT for Ulanga, in my view, it is too hard to act upon simply because there is no basis to rely on. In **Farida F. Mbarak & Another Vs. Domina Kagaruki & Others (Civil Reference 14 of 2019) [2021] TZCA 600 (20 October**

2021) [Extracted from www.tanzlii.org], the CAT upon being faced with akin situation had the following to state:

> *"Further, we find that the explanations of the delay given by the applicants in their written submission before the single Justice and also the explanations by Messrs. Mbwambo and Nyika in their respective submissions before us that the 5 days were spent in preparing and filing the application, to be statements from the bar which cannot be acted upon. As correctly held by the single Justice, the explanations needed to be given in the notice of motion or the supporting affidavit."*

Applying the above precedent, it is my finding that the applicant and her learned counsel departed from their own pleadings. As such, I am satisfied in my mind that the applicant's claim of illegality being one of the grounds tabled before this court for enlargement of time within which the applicant may be allowed to file an application for revision against the proceedings and decision of the DLHT for Ulanga, at Mahenge in Land Appeal No. 4 of 2020 dated 20th October, 2020 is hereby totally disregarded on the ground that the same is merely an afterthought and a statement from the bar.

Having so said and done, and on the basis of my finding I have endeavoured to deliberate herein above, it is my holding that the applicant has failed to advance good cause to warrant this court exercise its discretionary

powers to grant the order sought by the applicant for an extension of time within which to file the intended revision against the decision of the District Land and Housing Tribunal for Ulanga, at Malinyi in Land Application No. 4 of 2020. Accordingly, the application is hereby dismissed with costs. It is so ordered.

DATED at **MOROGORO** this 23rd day of October, 2023.

M. CHABA

JUDGE

23/10/2023

Court:

Judgment delivered under my hand and the Seal of the Court in Chamber's this 23rd day of October, 2023 in the presence of the applicant who appeared in persons, and unrepresented and Mr. Jackson Mashankara for the 1st respondent and in absence of the 2nd respondent.

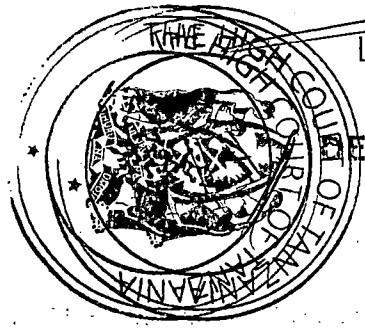
L. B. LYAKINANA

DEPUTY REGISRAR

23/10/2023

Court:

Right of the parties to appeal to the CAT fully explained.



L. B. LYAKINANA

DEPUTY REGISRAR

23/10/2023