

**IN THE HIGH COURT OF TANZANIA**  
**(COMMERCIAL DIVISION)**  
**AT DAR ES SALAAM**

**MISCELLANEOUS COMMERCIAL CAUSE NO. 129 OF 2015**  
**(Arising from Commercial Case No. 107 of 2014)**

**SHABBIRDIN AND COMPANY LIMITED ..... APPLICANT**  
**VERSUS**  
**TANZANIA ROADS AGENCY (TANROADS) ..... RESPONDENTS**

16<sup>th</sup> & 28<sup>th</sup> September, 2015

**RULING**

**MWAMBEGELE, J.:**

On 08.10.2014, this court allowed the petition filed by the petitioner in Miscellaneous Commercial Cause No. 107 of 2014 and directed, *inter alia*, that:

“... the issues regarding quantification of costs for the use and seizure of the equipment and plants shall be quantified in terms of monetary value as reflected in the portion of the final arbitral award shall be held and determined by the same sole arbitrator within a period of six (6) months from the date of this ruling.”

Following the foregoing order, it appears, the parties embarked upon compliance with the order but, as bad luck would have it, they have not managed to comply with the order within the scheduled time; that is, six (6) months. They have thus, by a joint Petition by a Memorandum, have come to this court praying for extension of time of six (6) more months from the date of the ruling within which to finalize the task ordered by this court. The Petition has been made under the provisions of section 14 of the Arbitration Act, Cap. 15 of the Revised Edition, 2002 and a proviso to rule 2 of order XLIII of the Civil Procedure Code, Cap. 33 of the Revised Edition, 2002. The Petition has been signed by principal officers of both parties.

Having considered the matter and having gone through the Petition by a Memorandum filed by the parties, I hereby grant the prayer prayed for by the parties. The parties are granted six (6) more months within which to comply with the order of this court made on 08.10.2014. The six (6) months so extended should be reckoned from the date of this order.

Order accordingly.

DATED at DAR ES SALAAM this 28<sup>th</sup> day of September, 2015.

**J. C. M. MWAMBEGELE**  
**JUDGE**