

**IN THE HIGH COURT OF UNITED REPUBLIC OF THE
TANZANIA**

(COMMERCIAL DIVISION)

AT DAR-ES-SALAAM

MISC. COMMERCIAL APPLICATION NO. 4 OF 2023

(Arising from Misc. Commercial Appl. No.195/2021, and Misc. Comm. Appl. No.
45/2019)

IN THE MATTER OF THE COMPANIES ACT (CAP.212 R.E 2002)

AND

IN THE MATTER OF DOVETEL (T) LTD t/a SASATEL TANZANIA
(IN ADMINISTRATION)

AND

IN THE MATTER OF APPLICATION BY ADMINISTRATOR
GENERAL FOR EXTENSION OF TIME FOR ADMINISTRATION

BETWEEN

ADMINISTRATOR GENERAL.....APPLICANT

VERSUS

DR. PETER JONAS CHITAMU1ST RESPONDENT

MARY BUNDALA.....2ND RESPONDENT

FIRST SEAL COMPANY LTD.....3RD RESPONDENT

RULING

Last order: 06/03/2023

Ruling: 10/03/2023

NANGELA, J.,:

The Applicant herein brought this application under
Section 14(1) of the Law of Limitation Act, Cap.89 R.E 2019,
Section 261 of the Companies Act, Cap.212 R.E 2019 and Rule

502 (2) of the Companies (Insolvency) Rules G.N 43 of 2005.

The Application, which was brought by way of a chamber summons is supported by an affidavit of Mr. Samwel Cosmas Mutabazi, learned State Attorney, seeks for the following orders:

1. That, this honourable Court be pleased to extend the time within which a Statement of Proposals may be filed with the Registrar of Companies out of time.
2. That, the Court be pleased to issue any other relief as it may deem just, fit and equitable to grant.

On 2nd March 2023, the Applicant made appearance through her Representative, Mr. Samwel Mutabazi, learned State Attorney. The 1st Respondent appeared in person while the 2nd and 3rd Respondents were absent. This Court could not proceed in the absence of the two Respondents since there was no proof that they were served. The matter was rescheduled for hearing on the 06th March 2023. On the material date, Mr.

Samwel appeared for the Applicant. The 1st Respondent appeared in person while the 2nd Respondent's representative in the name of Nelson Bundala appeared in Court. The Respondents did not object to the applicant's prayers.

Upon my perusal of the chamber summons, the affidavit and the enabling provisions of the law, I find that, there are demonstrable causes regarding why this Court should exercise its discretion and grant the prayers sought.

In view of the above, this Court settles for the following orders:

1. That, the prayer to extend the time within which a Statement of Proposals may be filed before the Registrar of Companies out of time is hereby granted. The same **be filed within 90 days** from the date of this Order.
2. That, since the Applicant has prayed for any other reliefs the Court deems just, fit and equitable, the Applicant is hereby

ordered to ensure that all pertinent matters pertaining the shareholding of the 3rd Respondent are effectively taken on board to avoid any further litigation and stalemate within the Company.

3. This Court makes no orders as to costs.

It is so ordered.

DATED AT DAR-ES-SALAAM ON THIS 10TH DAY OF MARCH 2023



.....
DEO JOHN NANGELA
JUDGE