

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

MISC. COMMERCIAL APPLICATION NO. 11 OF 2023

(Originating from Commercial Cause No. 17 of 2020)

IN THE MATTER OF THE COMPANIES ACT CAP. 212 OF 2002

AND

IN THE MATTER OF A PETITION BY THE COMPANY FOR AN ADMINISTRATION
ORDER

AND

IN THE MATTER OF CASSAVA STARCH OF TANZANIA CORPORATION LIMITED
BETWEEN

KNOWLES LUMAMBO (Administrator of Cassava Starch of
Tanzania Corporation Limited APPLICANT

AND

MATTHEUS DE KLERK 1ST RESPONDENT

CASSAVA STARCH OF TANZANIA

CORPORATION LIMITED..... 2ND RESPONDENT

RULING

Date of last Order: 09/03/2023

Date of Ruling: 30/03/2023

NANGELA, J.

The applicant herein has filed this application Under
Section 93 of the Civil Procedure Code Cap 33 R.E, and
Section 256 (1), (2) (a) of the Companies Act, Cap 212

R.E 2002. The application is by way of a Chamber Summons Supported by affidavit of the Applicant.

The applicant seeks for the following orders:

1. That, this Honorable Court be pleased to grant an order for Extension of time to file an application for variation of the administration Orders made by this Court on 19/11/2021.

When the matter come up for hearing on the 30th March, 2023, Mr. Emmanuel Hando, learned Advocate dropped two other prayers from the Chamber Summons and was only left with two prayers there in – one for extension of time and the other for “any other relief that the Court may find just and equitable to grant”.

I have looked at the affidavit and the submission by Mr. Hando which were not contested by Ms. Elizabeth Majura who appeared for the Respondents.

Since the Respondents are not opposed to the Application, I see no

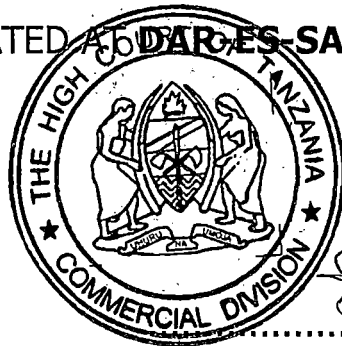
reasons why I should deny the prayer for extension of time to the Applicant.

On the basis of the grounds disclosed in the affidavit of the Applicant, I do hereby grant the prayer and extend the period within which to file an application for orders of variation of Orders of the Court.

The said application be filed within 30 days from the date of this ruling.

It is so ordered.

DATED AT DAR-ES-SALAAM, this 30th March 2023



DEO JOHN NANGELA

JUDGE