

IN THE HIGH COURT OF TANZANIA

[LAND DIVISION]

AT IRINGA

MISCELLANEOUS LAND CASE APPEAL NO. 10 OF 2012

(From the decision of the District Land and Housing Tribunal  
of Njombe District at Njombe in Land Case Appeal No. 58 of  
2011 and Original Ward Tribunal of Mjimwema Ward in  
Application No. 11 of 2011)

ABDALLAH NGIMBUDZI ..... APPELLANT

VERSUS

MELIDA MWOGOFI ..... RESPONDENT

(Date of last Order 4.9.2012

Date of Judgement 11.10.2012)

**JUDGEMENT**

KIHIO, J.,

This is a second appeal. The appellant, Abdala Ngimbudzi unsuccessfully sued the respondent, Melida Mwogofi in Mji mwema Ward Tribunal over the disputed one acre piece of land.

He appealed to the District Land and Housing Tribunal but his appeal was not successful.

He is now before this court in this appeal. This is as I say, a second appeal.

The appellant filed a Petition of Appeal containing three grounds of appeal, namely:-

1. That the District Land and Housing Tribunal erred the strong evidence given by the appellant as proper in relation to administration of estate of the deceased.
2. That the learned District Land and Housing Tribunal erred in law and fact by not recognizing that the documentary evidence produced by the respondent was forgery document so long it doesn't have even signature of the sellers of that land.
3. That the District Land and Housing Tribunal failed to determine that transfer of Land need prove by more than one person, but in the respondent's document no witness shown both parties, the owner of that land and the purchaser.

The appellant appears in person while the respondent is represented by Mr. Fred Kalonga, learned Counsel.

The appellant submitted that the disputed land was belonging to his late father. He further submitted that there