

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

**MISC. LAND CASE APPLICATION No.76 OF 2020**

**HILTON RINGO.....APPLICANT**

**VERSUS**

**KINAMBOI TESHA..... RESPONDENT**

**RULING**

**S. M. MAGHIMBI; J.**

The applicant has moved this court under Section 38(1), and Section 43 (2) of the Land Disputes Courts Act, Cap 216 R.E 2019; Section 14(1) of the Law of Limitation Act Cape 89 R.E 2019 and Section 95 of the Civil Procedure Code Cap 33 R.E 2019. He is seeking for extension of time to enable him to file an application for revision of the decision of the Ilala District Land and Housing Tribunal in Misc. Application No. 140 of 2019 dated 30<sup>th</sup> September 2019. He further sought for costs of this application and any other order this court may deem fit and just to grant. The application is supported by the affidavit of the Applicant whom, before this court, was represented by Mr. Denis Maringo, learned Counsel whereas the respondents enjoyed the services of Mr. Daniel Shao, Advocate. The court ordered this application to be disposed by way of written submission.


I have considered the merits of this application and need not be detained much by it. The records show that there is a loss of

original records of the tribunal and there is a further fact averred in the counter affidavit that the Chairman of the Ward tribunal was summoned by the District Land and Housing Tribunal to testify before it on the genuineness of the duplicate records of the Ward Tribunal, a procedure I have not come across. The records (affidavit and counter affidavit) also show that the District Tribunal nullified the proceedings of the Ward Tribunal while the matter before it was tabled for execution. All these issues are to me sufficient to warrant extension of time for the applicant to lodge an application for revision before this court.

On the above reasons, this application is hereby granted. Time is extended for the applicant to lodge his application for revision against the decision of the Ilala District Land and Housing Tribunal in Misc. Application No. 140 of 2019. The application is to be filed in this court within thirty (30) days from the date of this Ruling. I make no orders as to costs.

**It is so ordered**

Dated at Dar es Salaam this 15<sup>th</sup> day of March, 2021.



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**S.M. MAGHIMBI**  
**JUDGE**