

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA  
(LAND DIVISION)  
AT SUMBAWANGA**

**MISC. LAND APPLICATION NO. 14 OF 2020**

*(Originating from the Decision of the High Court of Tanzania at  
Sumbawanga in Miscellaneous Land Application No. 09 of 2018)*

**BAVOTI ISAYA MLELA ..... APPELLANT**

**VERSUS**

**PIUSI SIGOMA..... 1<sup>ST</sup> RESPONDENT**

**AHMADI LILA ..... 2<sup>ND</sup> RESPONDENT**

**LUCAS KAPELA ..... 3<sup>RD</sup> RESPONDENT**

*Date of last Order: 30/03/2021*

*Date of Ruling: 29/04/2021*

**RULING**

**C.P. MKEHA, J**

The applicant has under section 96 of the Civil Procedure Code moved the court for amendment of its ruling dated 07/12/2018 in Miscellaneous Land Application No. 09 of 2018 which traces its origin from Land Application No. 05 of 2014 of the District Land and Housing Tribunal of Katavi at Mpanda. In the said application before this court, the applicant applied for extension of time within which to lodge an appeal out of time in view of challenging judgment of the District Land and Housing Tribunal of Katavi dated 25/03/2015.

According to Mr. Chambi learned advocate and in terms of paragraph 3 of the affidavit supporting the present application, after the predecessor Judge was satisfied that the applicant had shown sufficient reasons for being granted

extension of time to appeal to this court, the said Judge inadvertently granted extension of time to the applicant to appeal to the Court of Appeal of Tanzania. There was nothing from the respondents' counter affidavits controverting this obvious fact.

There is no denial that the applicant had asked for extension of time to appeal from the District Land and Housing Tribunal to this court as the law provides and not to the Court of Appeal as it was inadvertently held by the predecessor Judge. That being the case, this court's ruling dated 07/12/2018 in Miscellaneous Land Application No. 09 of 2018 is varied to the extent that, extension of time is granted to the applicant to appeal against the judgment of the District Land and Housing Tribunal of Katavi in Land Application No. 05 of 2014 to this court. Twenty one (21) days' time is given to the applicant for that purpose.

Dated at **SUMBAWANGA** this 29<sup>th</sup> day of April, 2021.



  
**C.P. MKEHA**

**JUDGE**

**29/04/2021**

**Court:** Ruling is delivered in the presence of Mr. Chambi learned advocate for the applicant and the respondents in person.



  
**C.P. MKEHA**

**JUDGE**

**29/04/2021**