

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

MISC. LAND CASE APPLICATION NO.250 OF 2023

(Arising from Land Case No. 115 of 2023)

ZAOMA LIMITED.....1ST APPLICANT

MICHAEL CALLYST MARO.....2ND APPLICANT

VERSUS

MAENDELEO BANK (T) LTD.....RESPONDENT

R U L I N G

Date of Last Order: 10.05.2023

Date of Ruling: 18.05.2023

T. N. MWENEGOHA, J.

The Application was brought under **Order XXXVII Rule 1 (a) & (b) of the Civil Procedure Cap 33 R. E. 2019**. It was supported by the joint affidavit of David Maro and Michael Callyst Maro, the applicants here in above.

The applicants are seeking for an order of Injunction against the respondent, to restrain him from disposing the applicants' mortgaged properties, located at Plot No. 284/285, Block 44, Kijitonyama Area, Kinondoni Municipality, Dar es Salaam Region, with Tittle No. 186247 and Farm No. 2137 with Tittle No. 153782, located at Misugusugu Kibaha Area, within Coast Region.

The respondent was served with the application and appeared on the date scheduled for mention, that is on the 10th of May, 2023. On the same day, the respondent, through Mr. Josephat Mbelwa, her learned Counsel, conceded to the application for injunction against her, but prayed to the Court, not to award costs against the respondent.

I have further gone through the Application and I am satisfied that the applicant has met all the conditions required for an order of an Injunction to be granted. As the respondents are not objecting to the Application, I will not analyse these conditions in this Ruling.

For that reason, I allow the Application and the respondent is restrained from mortgaging the suit premises, pending the final determination of main suit, vide Land Case No. 115 of 2023.

No order as to costs.


T. N. MWENEGOHA
JUDGE

18/05/2023

