

**IN THE HIGH COURT OF TANZANIA
LABOUR DIVISION**

AT DAR ES SALAAM

REVISION NO. 731 OF 2018

DHL TANZANIA LIMITED.....APPLICANT

VERSUS

NYAMOKO MIYASI NYAMOKO.....RESPONDENT

RULING

Date of Last Order: 14/07/2020

Date of Ruling: 14/07/2020

Z.G.Muruke,J

Affidavit in support of the application sworn by applicant counsel, contravenes Rule 24(3)(c)& (d) of the Labour Court Rules GN No. 106/2007. Applicant counsel conceded to the a normally, and requested the court to struck out the application with leave to refile competent application for revision, within seven days. Respondent counsel Deogratus Godfrey did not object to the prayer for leave to refile. It is worth noting that, Rule 24(3)(c)&(d) of the labour Court Rules GN 106/2007 is coached in mandatory language. Same read as follows.

24(3) the application shall be supported by an affidavit, which shall clearly and concisely set out:-

(a)

(b)

(c) *Statement of legal issues that arise from the material facts*

(d) *The relief sought.*

The above are the requirement, of the Labour Court Rules that are used in the hearing of Labour cases as specialized court. Thus deponent must follow the same. Since applicant did not follow the rules, the affidavit is defective. Therefore application for revision is incompetent, deserve to be struck out. Accordingly revision application number 731/2018 is struck out.

For interest of justice, applicant is granted 7 days leave to file competent application for revision from 15 of July, 2020. This is last opportunity for applicant to rectify the a normally.



Z.G.Muruke

JUDGE

14/07/2020

Ruling delivered in presence of Gwamaka Mwaikugile Advocate, for applicant and Deogratius Godfrey Advocate, for the respondent.



Z.G.Muruke

JUDGE

14/07/2020