

**IN THE HIGH COURT OF TANZANIA
LABOUR DIVISION
AT DAR ES SALAAM**

REVISION NO. 667 OF 2019

ROBINSON MONGI.....1st RESPONDENT
GAVANA MWATES.....2nd RESPONDENT
FLORENCE SENDAMA.....3rd RESPONDENT
AZIZ AHMAD.....4th RESPONDENT
KAANASIA DOUGLAS.....5th RESPONDENT
DAVIS NDOLE.....6th RESPONDENT
CLAUDIA MAYOWERA.....7th RESPONDENT
ASHA KHOJA.....8th RESPONDENT

VERSUS

STANBIC BANK TANZANIA LIMITED.....RESPONDENT

RULING

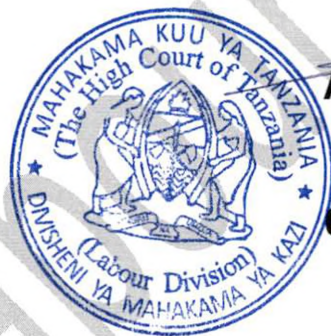
04th November & 9TH November 2021

Rwizile J.

I have for several times called this application for hearing. The CMA record is not found yet. In October, a meeting was held where the CMA promised to pull all the records and avail the same to this court by early November. The same has not responded and yet the record is not brought.

On 4th November, 2021 parties were in agreement with this court that if by today the record is not availed, this court has to take action because the same cannot be waited forever.

I have considered available remedies in a situation the CMA record is not found. It is apparent that a hearing cannot proceed and re-construction of the records cannot be made possible because parties do not have any notes. Based on this situation, although with grief, I nullify the award and remit the matter to the CMA for a trial denovo. An order is made, that the same should be heard with convenient speed to allow the parties enjoy their rights.



A.K.Rwizile

JUDGE

09.11.2021