

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

AT DAR ES SALAAM

MISCELLANEOUS APPLICATION NO. 25 OF 2022

JOYCE NORMAN KALAGHE.....APPLICANT

VERSUS

**TANZANIA INTERNATIONAL CONTAINER
TERMINAL SERVICE (T) LTD.....RESPONDENT**

RULING

~~18th~~ 18th August 2022

Rwizile, J


This is an application for extension of time. The applicant asked this court to extend time for the applicant to file a revision based on the ruling of CMA in dispute No. CMA/DSM/TMK/163/2021 delivered on 10th November, 2021.

Mr. Lesindamu, who appeared for the applicant pleaded that he was late to file the application for about 5 days. The reason for so doing is that he fell sick.

Mr. Augustine Rutakolezibwa, who appeared for the respondent disputed his prayer. He said, sickness has not been proved and so asked me to reject this application.

I have mediated the reason stated by the applicant. I am convinced that the application was indeed filed out of time. It is noted with concerned that the same was filed but time delayed is less than 10 days. In law, the applicant is to account for days of delay but as well, the court has to considering if the delay is inordinate or not. In the instant matter, I take it that the delay of less than 10 days may be by reason of sickness as Mr. Lesindamu has submitted.

In the interest of justice, I find this application with merit. It is granted. The applicant is given 10 days from today to file the intended application. That is by 29th August 2022. No order as to costs.


A. Rwizile

JUDGE

18.08.2022

