

IN THE HIGH COURT OF TANZANIA

LABOUR DIVISION

AT DAR ES SALAAM

REVISION NO. 197 OF 2023

LATIFA DAUD WAZIRI APPLICANT

VERSUS

THE RUB SPA LIMITED RESPONDENT

RULING

Date of last Order & Ruling: 15/02/2024

B. E. K. Mganga, J.

On 29th August, 2023 Latifa Daud Waziri, Applicant filed this revision application seeking the Court to revise CMA ruling issued on 31st July, 2023 by Hon. Kiangi, N, Arbitrator in Labour Dispute No. CMA/DSM/KIN/412/2022/224/2022. The record of this Court shows that, on 18th September 2023, Mr. Majaliwa Musa, Personal Representative of the applicant entered appearance on behalf of the applicant and informed the Court that on 06th September 2023 served the respondent. Mr. Musa notified further the court that, respondent has not

served the applicant with the counter affidavit. Based on what was submitted by the applicant's personal representative, this applicant was adjourned for hearing on 16th October 2023.

On the later date, none of the parties appeared. The case was adjourned to 24th October, 2024 for hearing but only Majaliwa Musa, Personal Representative for the Applicant appeared. This application was adjourned for hearing on 28th November, 2023 but none of the parties entered appearance. Due to none appearance of the parties, this application was adjourned to 07th December 2023 for hearing but none of the parties appeared as a result, it was adjourned for hearing on 05th February 2024. On the later date, again none of the parties appeared hence the application was adjourned for hearing today 15th February, 2024. As usual, even today 15th February 2024, neither the applicant nor the respondent appeared.

It is my view that from the foregoing occurrences, it seems that applicant has lost interest in the application, which is why, she has decided not to attend or give notice of absence. This court cannot continue to adjourn this application now and then. It seems, applicant has filed this application with a view of turning the Court into storage facility of her grievance against the respondent. That cannot be

accepted. This Court is not a storage facility, rather, it is a place for dispensation of justice. If applicant needs a storage facility for her grievance with the respondent, she should find another place and not in this court. Since applicant has failed to enter appearance to prosecute her application, I find that she no longer wishes to prosecute it.

For the foregoing, I dismiss this application for want of prosecution.

Dated at Dar es salaam this 15th February 2024



B. E. K. Mganga
JUDGE

Ruling delivered on 15th February 2024 in chambers in absence of the parties.



B. E. K. Mganga
JUDGE