

IN THE HIGH COURT OF TANZANIA

AT MBEYA

MISCELLANEOUS LAND CASE NO. 48 OF 2015

ANDREW RAPHAEL MAHENGE.....APPLICANT

VERSUS

MBEYA CITY COUNCIL.....RESPONDENT

PROCEEDINGS

Date: 10. 08. 2015

Coram: Hon. A. F. Ngwala, J.

Applicant: Absent

Respondent: Absent

B/C: Japhet

Order: 1. Mention on 17/12/2015

2. Summons to parties to issue.

A.F. NGWALA

JUDGE

10/08/2015

Date: 17. 12. 2015

Coram: Hon. A. F. Ngwala, J.

Applicant: Present

For the Applicant: Miss. Mgaya (Advocate)

Respondent: Absent

For the Respondent: Absent

B/C: Japhet.

Miss Mgaya: Madame Judge, on 29th October, 2015, we wrote our letter of our intention to withdraw this suit which was scheduled for hearing on 17th September, 2015. We however pray to withdraw the said suit due to the fact that there is another pending suit, Land Case No. 21/2015 and Misc. Application No.57/2015 pending before his lordship Mambi J, instituted by the Respondent. We see no reason to pursue the same matter involving the same parties and the same subject matter. We therefore see no reason to pursue various matters over the same matter. As the respondents have not been served we pray for a withdrawal order with no orders as to costs.

Order: In view of the foregoing submissions by Miss. Mgaya, learned counsel for the Applicant, this Application is marked withdrawan at the instant of the Applicant. No orders as to costs.




A. F. NGWALA
JUDGE
17/12.2015