

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
MOSHI DISTRICT REGISTRY
AT MOSHI

MISCELLANEOUS LAND APPLICATION NO. 28 OF 2022

*(C/f Land Appeal No. 16 of 2018 in the High Court of Tanzania at Moshi; Original
Land Application No. 200/2017 Moshi District Land and Housing Tribunal of Moshi)*

LADISLAUS MASHARI MSANA APPLICANT

VERSUS

MASHIMA SACCOS LIMITED 1ST RESPONDENT

TANFIN CONSULTANT LIMITED 2ND RESPONDENT

Date of last order: 5/7/2022

Date of Ruling: 11/8/2022

RULING

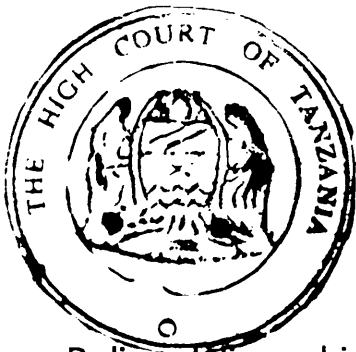
MWENEMPAZI, J:

The applicant has moved this Court by way of Chamber Summons pursuant to Section 47(1) of the Land Disputes Courts Act No. 2 of 2002 seeking for leave to appeal to the Court of Appeal and costs of the applicant. The application is supported by an affidavit sworn by the Applicant. Contesting the application, the Respondents filed a counter affidavit and also gave a notice of preliminary objection. The preliminary objection stated that the Applicant's application is incompetent for being filed out of statutory time. The matter was ordered to proceed with the hearing of the preliminary objection on 22/10/2020 but from that date the respondent never appeared

in court and later even the Applicant stopped attending. Noting failure of parties to appear in court on 28/6/2022 this court made an order for ruling.

Having noted as above, since parties to this case seem to have lost interest in pursuing the matter, this court has therefore decided to dismiss the application for want of prosecution. This is in accordance with Order IX Rule 2 of the Civil Procedure Act, CAP 33 R.E. 2019. It is so ordered.

DATED and DELIVERED at Moshi this 11th day of August, 2022.




T. M. MWENEMPAZI
JUDGE

Ruling delivered in the absence of the parties this 11th day of August, 2022.


T. M. MWENEMPAZI
JUDGE