

TANZANIA / JUDGMENT

19980128 TZHC Tabora

COURT
TZHCDECIDED
28 January 1998

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m TBE me I1 COURT OF 'b\..l.'IZ,:t.1.iIA. .AT TA.BO];~ IYiISC. CRI.1.,li..JIL APPL;,:i:o .47 /96 !J.~
TEE 1,IA.T.PER OF SIIJ.iYA-i•Gil. DISTRICT COURT CRI.hIJ.iA.L AFPFJ:.L .t10. 58 OF 1995 cV'iD
J.>IJ',DC) PRh.iARY COURT oma. CR!l1IJ.~.Al, Chl.SE .. l,O., 119/ 9'1- J..l'ID I.L:1 THE foJ..TI1ER
OF~' APPLIC,'...TI0.1., FOR LF.iVE TO iU'PE:Ui OUT OF Tlle GED R1 E J:1G.A.SA RU L I l-1 G This
is a... application to appeal 01.tt of' tiue by the applica-,t, G George Irgasa. His reason for
dela.Yi".lr; to appeal o., tii£1e is tb.at he vvas~ sick. He te,,deretl oopies~ of .medical clri.ts to
prove tl-ds,. Tlle respo~de'Ylts, r'a,:.gi Paulo and others denied that the applicant was sick~ The
applicant had~cha:rged -bhe respor,cler,ts for Halicio1,1.s~Daiilage to Property. The 8
flespo:ntl.e}lts denied the charge• -Th-e applicant testified alone arid calletl no wi tnesse'\$.
So~did the respo~nde:nts.. 111e t:rial court visited the sce!'1 e cf O'.l'iinc and found r,o~sweet
potatoes uprooted. It ~acquitted the resrond-e,,vso The a,p:plica,:nts' appeal to the district t,court
~ was dis,lissed,. The i~..te~lded second appeal lacks !11erit. It :raises no point of law. So it is
useless to allow the applica...,t to appeal out of t:Lne. Therefore this apploatio,,, j_s di mJj ssed
with costs. /1 ;ff~ L.B. Iv1CH0HE, JUDGE

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