

TANZANIA / JUDGMENT

george kalistus mtenda vs oiko credit ua another 2015 tzhclandd 20 8 december 2015

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TANZLIIDECIDED
8 December 2015

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IN THE HIGH COURT OF TANZANIA (LAND DIVISION) AT MBEYA MISCELLANEOUS LAND CASE NO. 31 OF 2015 GEORGE KALISTUS MTENDA RESPONDENTS VERSUS OIKO CREDIT U.A 1st RESPONDENT JAGRO ENTERPRISES LIMITED 2nd RESPONDENT ORDER Date: 08.12.2015
Coram: Hon A. F. Ngwala, J Applicant: Present For the Applicant: Mr. Mashauri Charles (Advocate) For the 1st Respondent: Mr. Mapunda G. (Advocate) 2nd Respondent: Present For the 2nd Respondent: Unrepresented B/C: Japhet Mr. Mashauri: Madame Judge, on 14 August, 2015, we secured an Order from the Deputy Registrar, requiring for Decree holder (the 1st Respondent) to release the Applicant's properties which were not submitted as collateral. Instead they were ordered to proceed with properties submitted as collateral in the loan l Agreement. Madame Judge in the event we see this application has been overtaken by events because we were seeking the order which has already been issued by the Deputy Registrar. Mr. Mapunda: Madame Judge, it is true that we have an Order from the Deputy Registrar as submitted by the advocate for the Applicant. I agree with the prayer. We therefore pray that the matter be withdrawn. Order: As this matter has been overtaken by events as conceded by the respective learned counsels for the parties, Accordingly this suit is withdrawn with no orders as to costs. That is each party shall bear his or her own costs. 2

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Prepared on 14 October 2026 · Esheria