

TANZANIA / JUDGMENT

the registered trustees of masjid badri mtoni mtongani vs ramadhani hussein 2020 tzhclandd 3931 10 december 2020

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TANZLIIDECIDED
10 December 2020

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IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA (LAND DIVISION) AT DAR ES
SALAAM MISC.LAND APPLICATION NO. 361 OF 2019 THE REGISTERED TRUSTEES OF MASJID
BADRI {Mtoni Mtongani) APPPLICANT VERSUS RAMADHANI
HUSSEIN..... RESPONDENT

RULING

S.M. MAG HIM BI, J: The applicant herein moved this court under the provisions of Section 14

- (1) of the Law of Limitation Act, Cap 89 R.E 2002. She is seeking for extension of time to file an application for revision against the decision of the District Land and Housing Tribunal of Temeke in Misc. Application No 314 of 2016. The application is supported by an affidavit of Yusuph Omari, one of the applicants in this matter, which is not dated. On 9th July 2020 this court ordered this application be heard ex-parte against respondent after failure to attend despite being properly served. The application was argued by way of written submission. In this court, the Applicants submission was drawn and filed by Mr. Paul L. Chabruma, learned Advocate. In his affidavit in support of the application, the applicants main reason to apply for extension of time was the finding of a concrete document i showing the registered owner of the suit property. The document was annexed as Annexure "A" to the affidavit of the applicant. Having gone through the records of this application and having considered the said document, a certificate of Occupancy No. 95261 which purportedly shows the real owner of the suit land, a document which the applicant has averred that the document was not in their reach during trial. Since the application at hand is for extension of time to file Revision, I find the ground of discovery of new evidence as sufficient to grant the application at hand. Time is hereby extended for the applicant to file the intended review which shall be filed within 30 days of the date of this ruling. Costs shall follow the event. Dated at Dar es Salaam this 10th Day of December, 2020 2

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ORIGINAL SOURCE	https://media.tanzlii.org/media/judgment/257697/source_file/the-registered-trustees-of-masjid-badri-mtoni-mtongani-vsramadhani-hussein-2020-tzhclandd-3931-10-december-2020.pdf
CASE PAGE	https://chat.esheria.ai/case-law/tanzania/the-registered-trustees-of-masjid-badri-mtoni-mtongani-v-ramadhani-hussein-extensionoftime-tanzlii-2020

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