

IN THE HIGH COURT OF TANZANIA

(LAND DIVISION)

AT MOSHI

LAND CASE REVISION NO. 1 OF 2005

(From the Decision of the District Land and Housing Tribunal of KILIMANJARO District at
MOSHI In Land Application No. 40 of 2005)

SILVERDALE (T) LIMITED ----- APPLICANT

VERSUS

FIONA (T) LIMITED ----- RESPONDENT

Date:- 17/3/2006

Coram:- Hon. E.A. Kileo, J.

For Applicant:- Stewart Middleton – Managing Director

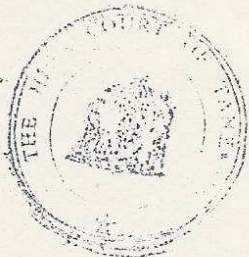
For Respondent:- Mr. Sandi

C/C:- Kimario

Mr. Sandi:- The matter is set for the hearing of the Preliminary Objections today and I am ready for that.

Mr. Silverdale:- My advocate who is in Dar es Salaam had a booking for yesterday's afternoon flight. However due to some problems with the computers of the flight operators there was over-booking and she missed her flight. She was also unable to attend this morning, she ask that the hearing of the Preliminary Objections be fixed on the earliest convenient date.

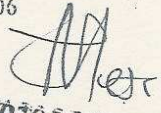
Order:- After consultations with both sides and after having considered all the relevant provisions of the law particularly these concerned with jurisdiction of the District Land and Housing Tribunal it has been agreed that this court exercises its inherent jurisdiction to quash the proceedings in the DLHT and set aside all orders given therein. For the ends of expeditious dispensation of justice I hereby quash all the proceedings in the District Land & Housing Tribunal which was not vested with jurisdiction to entertain the matter. All orders made therein are also set aside. Each party is to bear its own Costs.




E.A. KILEO,

JUDGE,

17/3/2006


CERTIFIED TO BE THE TRUE COPY
OF THE ORIGINAL
RESIDENT/DISTRICT MAGISTRATE
MOSHI

DATE 16/3/2006