

**IN THE COURT OF APPEAL OF TANZANIA
AT DAR ES SALAAM**

CIVIL APPEAL NO. 25 OF 2004

(CORAM: MSOFFE, J. A. KIMARO, J. A. And MBAROUK, J. A.)

RICHARD KISIKA MUGENDIAPPELLANT

VERSUS

SOFIA BHOKE MARYOGO.....RESPONDENT

**(Appeal from the Judgment of the High Court of Tanzania
at Dar es Salaam)**

(Bubeshi, J.)

dated 13th day of June, 2002

in

Matrimonial Cause No. 2 of 1997

ORDER OF THE COURT

MSOFFE, J.A.:

This is an old matter in which an adjournment today is again inevitable. On 3/2/2009 Mr. Ganrichie, hitherto learned advocate for the appellant, wrote a letter to the Registrar to the effect that he is no longer representing the appellant due to lack of instructions. We wish to observe here that, as corrently pointed out by Mrs. Nakazaeli Tenga, learned advocate for the respondent, good practice demanded Mr. Ganrichie to appear in Court and seek a formal order

of withdrawal from the conduct of the appellant's case. We hope, he will be advised that much in future. That aside, one Muse Zongore, the appellant's wife, appeared before us and submitted that the appellant fell sick just this morning and had to be rushed to hospital.

In view of the above factors, we hereby adjourn the hearing of the appeal to 26/2/2009. The appellant to be served in person.

DATED at DAR ES SALAAM this 5th day of February, 2009.

J. H. MSOFFE
JUSTICE OF APPEAL

N.P. KIMARO
JUSTICE OF APPEAL

M.S. MBAROUK
JUSTICE OF APPEAL

I certify that this is a true copy of the original.

P.B. KHADAY
DEPUTY REGISTRAR

