

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

**CORAM: MROSO, J.A, NSEKELA, J.A., And KAJI J.A**

**CIVIL APPEAL NO. 21 OF 2002**

**MUGOGO F.J. MWAKANGALE t/a  
BAGAMOYO SAFARI TOURS** ] ..... **APPELLANT**

**VERSUS**

**LART.....RESPONDENT**

**(Appeal from the Judgment and decree of the LART Loans  
Recovery Tribunal of Tanzania at Dar es Salaam)**

**(Msoffe J.)**

**dated 13<sup>th</sup> December, 2001**

**in**

**LART Tribunal case No. 11 of 1999**

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**ORDER**

**KAJI. J.A:**

When the appeal was called on for hearing, Mr. Mchome, learned counsel for the 2<sup>nd</sup> respondent informed the Court that the 1<sup>st</sup> respondent, LART, has ceased to exist by operation of law with effect from 30.6.2006 and that so far no other institution has been appointed to replace it. At the same time the SDR – CA, MS Wambura informed the Court that the appellant, who is absent, was

served by post but that there is no proof whether he received the notice.

In the circumstances, Mr. Mchome is of the view the matter should be adjourned to another date pending steps which will have been taken in respect of the 1<sup>st</sup> respondent's replacement, if any.

We agree with the learned counsel. The matter is adjourned for six months pending the authorities concerned to sort out the matter. After six months the matter will be fixed for hearing and the appellant will be served in a more appropriate manner.

Dated at Dar es Salaam this 26<sup>th</sup> day of September, 2006.

J.A. Mroso  
**JUSTICE OF APPEAL**

H.R.Nsekela  
**JUSTICE OF APPEAL**

S.N. Kaji  
**JUSTICE OF APPEAL**

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

S.A.N. WAMBURA  
**SENIOR DEPUTY REGISTRAR**