

**IN THE COURT OF APPEAL OF TANZANIA**

**AT DAR ES SALAAM**

**CIVIL APPLICATION NO. 19 OF 2012**

**TUKAE RAJABU ..... APPLICANT**

**VERSUS**

**CHIKU YUSUFU AND 2 OTHERS ..... RESPONDENTS**

**(Application for Leave to Appeal to the Court of Appeal  
from the decision of the High Court of Tanzania  
at Dar es salaam)**

**Dated 3<sup>rd</sup> August, 2010**

**In**

**PC Civil Appeal No. 7 of 2010**

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**ORDER OF THE COURT**

**MUSSA, J.A.:**

When this application was called on for hearing today, neither the applicant nor the respondents entered appearance. The Notice of hearing which was issued on the 28<sup>th</sup> June, 2016 to Mr. David Ntonge, the learned Advocate for the applicant was not served on him. Instead, the Deputy Registrar requested him to provide the address of the applicant which turned out to be insufficient for service. The respondents were just as well not served.

In the circumstances, we are left with no other option than to adjourn the hearing to a date to be fixed by the Registrar. At the next hearing, the Registrar should cause the learned Advocate for the applicant to express in

writing whether or not he no longer has to conduct of the matter. It is so ordered.

**DATED** at **DAR ES SALAAM** this 19<sup>th</sup> day of July, 2016.

M.S. MBAROUK  
**JUSTICE OF APPEAL**

K.M. MUSSA  
**JUSTICE OF APPEAL**

I.H. JUMA  
**JUSTICE OF APPEAL**

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

T.K. SIMBA  
**DEPUTY REGISTRAR**  
**COURT OF APPEAL**