

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

(CORAM: NSEKELA, J.A. RUTAKANGWA, J.A., And KIMARO, J.A.)

CIVIL APPLICATION NO. 104 OF 2004

**ZANZIBAR HOTEL LTD. AND ANOTHER.....APPLICANT
VERSUS
COSTA ALFRED BUJARA AND TWO OTHERS.....RESPONDENTS**

**(Application for Revision from the decision of the High Court of
Tanzania at Dar es Salaam)**

(Bubeshi, J.)

dated the 10th day of June, 2002

(Mlay, J.)

dated the 11th day of June, 2004

in

Civil Case No. 208 of 2000

ORDER OF THE COURT

KIMARO, J.A.:

When the application was called on for hearing, Mr. Mohamed Jariwalla, one of the Directors of the 1st Applicant, informed the Court that he is aware that Costa Alfred Bujara, the first respondent is dead. Under Rule 54(2) of the Court of Appeal Rules, 1979 an application does not abate with the death of the any of the parties to the proceedings.

In this respect the hearing of the application is adjourned to another date to be fixed by the Registrar. In the meantime the 1st Applicant has to make a follow up of the person who will be appointed a legal representative of the 1st

Respondent for purposes of bringing him/her into the proceedings. Costs to be in the course of the proceedings.

DATED at DAR ES SALAAM this 27th day of February, 2008.

H. R. NSEKELA
JUSTICE OF APPEAL

E. M. K. RUTAKANGWA
JUSTICE OF APPEAL

N. P. KIMARO
JUSTICE OF APPEAL

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

(F. L. K. WAMBALI)
SENIOR DEPUTY REGISTRAR