

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

CIVIL APPLICATION NO. 164 OF 2006

TOSI JATEGI..... APLICANT

VERSUS

**TANZANIA HARBOURS AUTHORITY
AND OTHERS.....RESPONDENT**

**(Application for Extension of time for the Applicant to serve
notice of Appeal to the Respondents Lodged
on 27th Dec, 2005 From the Judgment/ Decision
of the High Court of Tanzania at Dar es Salaam)**

(Hon. Ihema, J)

**Dated of 16th day of December, 2005
in
Civil Case No. 405 of 2002**

ORDER

MSOFFE, J. A:

In the interests of justice hearing of the application is adjourned to a date to be fixed. In the meantime, Mr. Mchome to follow up the affidavit in reply he says he filed as early as December, 2006 so that the same may be duly filed in the Court record. As for costs, I see no reason for ordering costs against the respondent because it might

eventually turn out that the respondent is not to blame for the missing affidavit in reply.

DATED at DAR ES SALAAM this day 16th of February, 2007

J. H. MSOFFE
JUSTICE OF APPEAL

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

S. A. N. WAMBURA
SENIOR DEPUTY REGISTRAR