

**JAMHURI YA MUUNGANO WA TANZANIA  
MAHAKAMA**

F. 50

Anwani ya Simu: "MAHAKAMA YA RUFAA"  
SIMU Nambari: 255-22-2123897  
Fax: 255-22-2127656/2116654  
Unapojibu tafadhali:



MSAJILI,  
MAHAKAMA YA RUFANI,  
S. L. P. 9004,  
DAR ES SALAAM.

**Kumb. Na. BA.80/81/03/VOLII/53**

09.05.2018

Afisa wa Polisi Kanda Maalum,  
Mkoa wa Dar es Salaam,  
**DAR ES SALAAM.**

Ofisi ya Mkurugenzi wa Mashtaka (DPP),  
Sukari House,  
**DAR ES SALAAM.**

Mwanasheria Mkuu,  
Ofisi ya Mwanasheria wa Serikali,  
**KANDA YA DAR ES SALAAM.**

Mkuu wa Gereza,  
Gereza Kuu Ukonga,  
**DAR ES SALAAM.**

✓ Rais,  
Chama cha Wanasheria wa kujitegemea (TLS),  
**DAR ES SALAAM.**

Mkuu wa kitengo cha Sheria,  
Mamlaka ya mapato Tanzania(TRA)  
**DAR ES SALAAM.**



*Epi,  
circulate out  
to the members.  
14.05.2018*

**YAH: KUKUTUMIA RATIBA (CAUSELIST) YA VIKAO VYA  
MAHAKAMA YA RUFANI**

Tafadhali husika na kichwa cha habari hapo juu.

Napenda kukutumia nakala ya Ratiba(Causelist) ya kikao cha Mahakama ya Rufaa kinachotarajia kuanza tarehe,28.05.2018 katika Mahakama ya Rufani,nakuambatanishia kwa kumbukumbu zako,

Wako katika utendaji

E.Y. MKWIZU  
**NAIBU MSAJILI  
MAHAKAMA YA RUFANI**

IN THE COURT OF APPEAL OF TANZANIA  
AT DAR ES SALAAM

CAUSE LIST

BEFORE: MBAROUK, J.A.  
FRIDAY THE 25<sup>TH</sup> DAY OF MAY, 2018  
IN CHAMBER AT 09:00 A.M.  
FOR PRE-SESSIONS MEETING:

BEFORE: MMILLA, J.A.  
MONDAY THE 28<sup>TH</sup> DAY OF MAY, 2018  
IN CHAMBER AT 08:45 A.M  
FOR HEARING:

CIVIL APPLICATIONS

NO. 260/20/2017 U-TURN GROCERY STORE LIMITED  
VERSUS  
COMMISSIONER GENERAL (TRA)

NO. 333/17/2017 MASUMBUKO KOWESYA MTABAZI  
VERSUS  
DOTTO SALUM CHANDE

BEFORE: MWARIJA, J.A.  
MONDAY THE 28<sup>TH</sup> DAY OF MAY, 2018  
IN CHAMBER AT 08:45 A.M  
FOR HEARING:

CRIMINAL APPLICATION

NO. 19/2013 WDR MACDONALD S/O KIMAMBO @ ADEN  
VERSUS  
THE REPUBLIC

CIVIL APPLICATION

NO.417/20/2017 KARIBU TEXTILE MILLS LIMITED  
VERSUS  
COMMISSIONER GENERAL (TRA)

BEFORE: MWANGESI, J.A.  
MONDAY THE 28<sup>TH</sup> DAY OF MAY, 2018  
IN CHAMBER AT 08:45 A.M  
FOR HEARING:

CIVIL APPLICATIONS

NO.416/20/2017 MIDCOM TANZANIA LIMITED  
VERSUS  
COMMISSIONER GENERAL (TRA)

NO.269/17/2017 PROF. ESHTER MWAIKAMBO  
VERSUS  
ERNEST NYEMBO MPILANGA

**BEFORE: MBAROUK, J.A., MUGASHA, J.A., and MWAMBEGELE, J.A.**  
**MONDAY THE 28<sup>TH</sup> DAY OF MAY, 2018**  
**IN COURT NO. 1 AT 09:00 A.M**  
**FOR HEARING:**

**CRIMINAL APPEAL**

NO. 548/2017

MEDIAN BOASTIC MWALE & 3 OTHERS  
VERSUS  
REPUBLIC

**CIVIL APPLICATION**

NO. 19/16 /2018

JONAH HARALD CHRISTER ABRAHSSON  
VERSUS  
EXIM BANK (T) LIMITED & 3 OTHERS

**BEFORE: MUSSA, J.A., MZIRAY, J.A., and NDIKA, J.A.**  
**MONDAY THE 28<sup>TH</sup> DAY OF MAY, 2018**  
**IN COURT NO. 2 AT 09:00 A.M**  
**FOR HEARING:**

**CRIMINAL REVISIONS**

NO. 4/2017

THE REPUBLIC  
VERSUS  
JONAS JULIUS @ JUMA PENGO & 5 OTHERS

NO. 5/2017

THE REPUBLIC  
VERSUS  
JOSEPH KOMBA @ JANTA & 3 OTHERS

**CIVIL APPLICATION**

NO. 6/17 /2018

RASHIDI MANENO KIPANGA & ANOTHER  
VERSUS  
SELEMANI MARSHED & ANOTHER

**BEFORE: MUSSA, J.A.**  
**TUESDAY THE 29<sup>TH</sup> DAY OF MAY, 2018**  
**IN CHAMBER AT 08:45 A.M**  
**FOR HEARING:**

**CIVIL APPLICATIONS**

NO. 280/01/2017

ALLY RASHID  
VERSUS  
HALIMA ZAKARIA & ANOTHER

NO. 284/17/2017

MARINO CHARLES & ANOTHER  
VERSUS  
MR & MRS. BARKA BARUTI

**BEFORE: MZIRAY, J.A.**  
**TUESDAY THE 29<sup>TH</sup> DAY OF MAY, 2018**  
**IN CHAMBER AT 08:45 A.M**  
**FOR HEARING:**

**CRIMINAL APPLICATION**

NO. 10/2015

JIBU AMIR @ MUSSA & ANOTHER  
VERSUS  
THE REPUBLIC

CIVIL APPLICATION

NO. 332/20/2017

COMMISSIONER GENERAL (TRA)  
VERSUS  
MIDCOM TANZANIA LIMITED

BEFORE: NDIKA, J.A.

FRIDAY THE 29<sup>TH</sup> DAY OF MAY, 2018

IN CHAMBER AT 08:45 A.M

FOR HEARING:

CIVIL APPLICATIONS

NO. 221/18/2017

ZAWADI MSEMAMWELI  
VERSUS  
NMB PLS

NO. 253/16/2017

M/S SDV TRANSAMI TANZANIA LTD  
VERSUS  
M/S STE DATCO

BEFORE: MBAROUK, J.A., MUGASHA, J.A., and MWAMBEGELE, J.A.

TUESDAY THE 29<sup>TH</sup> DAY OF MAY, 2018

IN COURT NO. 1 AT 09:00 A.M

FOR HEARING:

CIVIL APPEAL

NO 162/2017

SHEIKH ISSA SEIF GULU & ANOTHER  
VERSUS  
RAJAB MAIGARA MTORO AND 10 OTHERS

CIVIL APPLICATIONS

NO 234/2016

ALLY OMARY AND 6 OTHERS  
VERSUS  
PHILBERT KATO KUGAITAMU (Being represented by  
His lawful Attorney PHILBERT NSUNJU)

NO 122/2014

LUDGER BENARD NYONI  
VERSUS  
NATIONAL HOUSING CORPORATION & ANOTHER

BEFORE: MMILLA, J.A., MWARIJA, J.A., and MWANGESI, J.A.

TUESDAY THE 29<sup>TH</sup> DAY OF MAY, 2018

IN COURT NO. 2 AT 09:00 A.M

FOR HEARING:

CIVIL APPLICATIONS

NO. 499/20/2017

AFRICAN BARRICK GOLD PLC  
VERSUS  
COMMISSIONER GENERAL (TRA) (

NO.518/2016

JOHNSON LEORNARD MULURURU  
VERSUS  
ABDUL NASSORO OBEID & 3 OTHERS

NO. 492/20/2017

NATIONAL MICROFINANCE BANK PLC  
VERSUS  
THE COMMISSIONER GENERAL (TRA)

BEFORE: MBAROUK, J.A.

WEDNESDAY THE 30<sup>TH</sup> DAY OF MAY, 2018

IN CHAMBER AT 08:45 A.M

FOR HEARING:

CIVIL APPLICATIONS

NO. 330/17/2017

AGNES FELICIAN NJABILI  
VERSUS  
SPRING CITY GARAGE

NO. 331/17/2017

OSWALD MODU  
VERSUS  
COMMISSIONER FOR LANDS & 2 OTHERS

BEFORE: MUGASHA, J.A.

WEDNESDAY THE 30<sup>TH</sup> DAY OF MAY, 2018

IN CHAMBER AT 08:45 A.M

FOR HEARING:

CIVIL APPLICATIONS

NO. 173/2015

JAMES M. KASAWA  
VERSUS  
JULIANA MSIBA & ANOTHER

NO. 218/2015

DIMENSION DATA SOLUTIONS LIMITED  
VERSUS  
WIA GROUP LIMITED & 2 OTHERS

BEFORE: MWAMBEGELE, J.A.

WEDNESDAY THE 30<sup>TH</sup> DAY OF MAY, 2018

IN CHAMBER AT 08:45 A.M

FOR HEARING:

CIVIL APPLICATIONS

NO. 264/16/2017

MEXON ENERGY LTD  
VERSUS  
MUGAS TANZANIA LTD

NO. 278/17/2017

IRENE TEMU  
VERSUS  
NGASA M. DINDI & 2 OTHERS

BEFORE: MUSSA, J.A., MZIRAY, J.A., and NDIKA, J.A.

WEDNESDAY THE 30<sup>TH</sup> DAY OF MAY, 2018

IN COURT NO. 1 AT 09:00 A.M

FOR HEARING:

CRIMINAL APPEALS

NO. 84 /2010

MENGI JOACHIM @ MALISAO & 2 OTHERS  
VERSUS  
THE REPUBLIC

NO. 190/2016

MENGI JOACHIM @ MALISAO & 2 OTHERS  
VERSUS  
THE REPUBLIC

CIVIL APPEAL

NO 17/2017

DIAMOND MOTORS LIMITED  
VERSUS  
K-GROUP (TANZANIA) LTD

BEFORE: MMILLA, J.A., MWARIJA, J.A., and MWANGESI, J.A.  
WEDNESDAY THE 30<sup>TH</sup> DAY OF MAY, 2018

IN COURT NO. 2 AT 09:00 A.M

FOR HEARING:

CIVIL APPEAL

NO. 193/2017

THE BOARD OF TRUSTEES OF THE  
PPF PENSIONS FUND  
VERSUS  
COMMISSIONER GENERAL (TRA)

CIVIL APPLICATIONS

NO 88"A"/2015

SILENT INN HOTEL  
VERSUS  
INTERSTATE OFFICE SERVICE LIMITED

NO. 493/20/2017

NATIONAL MICROFINANCE BANK PLC  
VERSUS  
THE COMMISSIONER GENERAL (TRA)

THURSDAY THE 31<sup>ST</sup> DAY OF MAY, 2018

JUDGMENT WRITING

BEFORE: MUSSA, J.A.

FRIDAY THE 1<sup>ST</sup> DAY OF JUNE, 2018

IN CHAMBER AT 08:45 A.M

FOR HEARING:

CIVIL APPLICATIONS

NO. 470/17/2017

CHARLES WERONGO  
VERSUS  
SHABANI S. KONGWA & 9 OTHERS

NO. 473/17/2017

ILALA MUNICIPAL COUNCIL  
VERSUS  
M/S FISHCORP LTD

BEFORE: MZIRAY, J.A.

FRIDAY THE 1<sup>ST</sup> DAY OF JUNE, 2018

IN CHAMBER AT 08:45 A.M

FOR HEARING:

CIVIL APPLICATIONS

NO. 116/01/2018

BRITAM INSURANCE (T) LTD  
VERSUS  
OCCEANIC BAY HOTEL LTD

NO. 252/17/2017

HOSEA KIHWELO & 6 OTHERS  
VERSUS  
ABDALLAH RAMADHANI MKUMBA & ANOTHER

**BEFORE: NDIKA, J.A.**  
**FRIDAY THE 1<sup>ST</sup> DAY OF JUNE, 2018**  
**IN CHAMBER AT 08:45 A.M**  
**FOR HEARING:**

**CIVIL APPLICATIONS**

NO. 302/17/2017

SAMWEL KOBELU MUHULO  
**VERSUS**  
NHC

NO. 28/17/2017

TUMSIFU KIMARO  
**VERSUS**  
MOHAMED MSHINGO

**BEFORE: MBAROUK, J.A., MUGASHA, J.A., and MWAMBEGELE, J.A.**  
**FRIDAY THE 1<sup>ST</sup> DAY OF JUNE, 2018**  
**IN COURT NO. 1 AT 09:00 A.M**  
**FOR HEARING:**

**CIVIL APPEALS**

NO. 126/2017

MABANGU MINING LIMITED  
**VERSUS**  
COMMISSIONER GENERAL (TRA)

NO. 111 /2017

SALHINA MFAUME AND 7 OTHERS  
**VERSUS**  
TANZANIA BREWERIES CO. LTD

**CIVIL APPLICATION**

NO. 229/18/2017

TANZANIA PORTS AUTHORITY  
**VERSUS**  
KIPANGA FARIJALA KISOMBE

**BEFORE: MMILLA, J.A., MWARIJA, J.A., and MWANGESI, J.A.**  
**FRIDAY THE 1<sup>ST</sup> DAY OF JUNE, 2018**  
**IN COURT NO. 2 AT 09:00 A.M**  
**FOR HEARING:**

**CIVIL APPEAL**

NO. 69/2014

ZANZIBAR TELECOM LTD  
**VERSUS**  
PETROFUEL TANZANIA LTD

**CIVIL APPLICATIONS**

NO.384/20/2017

ACCESS BANK LIMITED  
**VERSUS**  
COMMISSIONER GENERAL (TRA)

NO. 422/20/2017

SHELL DEEP WATER TANZANIA BV  
**VERSUS**  
COMMISSIONER GENERAL (TRA)

**BEFORE: MMILLA, J.A.**  
**MONDAY THE 4<sup>TH</sup> DAY OF JUNE, 2018**  
**IN CHAMBER AT 08:45 A.M**  
**FOR HEARING:**

**CIVIL APPLICATIONS**

NO. 251/17/2017

DAVID MAHENDE  
VERSUS  
AMANI CASSA FERUZI & 3 OTHERS

NO. 335/17/2017

TANZANIA ZAMBIA RAWLAY AUTHORITY (T)  
VERSUS  
STEPHEN MAKOMBE & 13 OTHERS

**BEFORE: MWARIJA, J.A.**  
**MONDAY THE 4<sup>TH</sup> DAY OF JUNE, 2018**  
**IN CHAMBER AT 08:45 A.M**  
**FOR HEARING:**

**CIVIL APPLICATIONS**

NO. 57/2015

BADI MWASHA  
VERSUS  
MANAGING DIRECTOR BUSINESS MACHINE (T) LTD.

NO. 28/2014

URSINO PALMS ESTATE LIMITED  
VERSUS  
KYELA VALLEY FOODS LTD & 2 OTHERS

**BEFORE: MWANGESI, J.A.**  
**MONDAY THE 4<sup>TH</sup> DAY OF JUNE, 2018**  
**IN CHAMBER AT 08:45 A.M**  
**FOR HEARING:**

**CIVIL APPLICATIONS**

NO. 186/17/2017

GABRIEL MATHIAS & ANOTHER  
VERSUS  
HALIMA FERUZI & 2 OTHERS

NO. 167/18/2017

TUICO ON BEHALF OF MILANZI & 131 OTHERS  
VERSUS  
BLANKETS MANUFACTURERS LTD

**BEFORE: MBAROUK, J.A., MUGASHA, J.A., and MWAMBEGELE, J.A.**  
**MONDAY THE 4<sup>TH</sup> DAY OF JUNE, 2018**  
**IN COURT NO 1. AT 09:00 A.M**  
**FOR HEARING:**

**CRIMINAL APPEALS**

NO. 114 /2011

DIRECTOR OF PUBLIC PROSECUTION  
VERSUS  
PETER TISIAN TILYA @ THOMAS

NO. 358/2017

DIRECTOR OF PUBLIC PROSECUTION  
VERSUS  
MT. 86879 PTE BULOLO MIRUMBE JEMSI & 2 OTHERS



**BEFORE: MUSSA, J.A., MZIRAY, J.A., and NDIKA, J.A.**  
**MONDAY THE 4<sup>TH</sup> DAY OF JUNE, 2018**  
**IN COURT NO. 2 AT 09:00 A.M**  
**FOR HEARING:**

NO. 70/2016

**CIVIL APPEAL**  
KINONDONI MUNICIPAL COUNCIL  
VERSUS  
Q CONSULTS

**CIVIL APPLICATION**

NO 39/20/2018

ACCESS BANK LIMITED  
VERSUS  
COMMISSIONER GENERAL (TRA)

**BEFORE: MBAROUK, J.A.**  
**TUESDAY THE 5<sup>TH</sup> DAY OF JUNE, 2018**  
**IN CHAMBER AT 08:45 A.M**  
**FOR HEARING:**

NO. 346/01/2017

**CIVIL APPLICATION**  
MWANTUMU NDUGUMBI (As the Administratrix of the  
Estate of NOTI NDUGUMBI)  
VERSUS  
VENANCE SHIRIMA

**CIVIL REFERENCE**

NO. 12/2009

TANZANIA FERTILIZER CO. LTD  
VERSUS  
RUVUMA EXPORTES CO. (T) LTD & ANOTHER,

**BEFORE: MUGASHA, J.A.**  
**TUESDAY THE 5<sup>TH</sup> DAY OF JUNE, 2018**  
**IN CHAMBER AT 08:45 A.M**  
**FOR HEARING:**

NO. 89/2016

**CIVIL APPLICATIONS**  
NATIONAL BANK OF COMMERCE  
VERSUS  
RAMADHANI MASSUDI & FAMILY

NO. 286/20/2017

NATIONAL MICROFINACE BANK LTD  
VERSUS  
COMMISSION GENERAL (TRA)

**BEFORE: MWAMBEGELE, J.A.**  
**TUESDAY THE 5<sup>TH</sup> DAY OF JUNE, 2018**  
**IN CHAMBER AT 08:45 A.M**  
**FOR HEARING:**

NO. 26”A”/2016

**CRIMINAL APPLICATION**  
MOHAMED S/O SABU  
VERSUS  
THE REPUBLIC

**CIVIL APPLICATION**

NO.414/20/2017

AKIBA COMMERCIAL BANK LIMITED  
VERSUS  
COMMISSIONER GENERAL (TRA)

BEFORE: MUSSA, J.A., NZIRAY, J.A., and NDIKA, J.A.

TUESDAY THE 5<sup>TH</sup> DAY OF JUNE, 2018

IN COURT NO. 1 AT 09:00 A.M

FOR HEARING:

CIVIL REVISIONS

NO. 8/2017

M/S LUKUMBULU INVESTMENT CO. LTD  
VERSUS  
M/S ST. ANTHONY SECONDARY SCHOOL

NO. 2 /2017

NORASCUS CHRISTOPHER NTAHEROZO  
VERSUS  
CLARA JOHN NGILA

NO. 6/2017

ABDULLATIF MOHAMED HAMIS  
VERSUS  
MEHBOOB YUSUF OSMAN & ANOTHER

BEFORE: MMILLA, J.A., MWARIJA, J.A., and MWANGESI, J.A.

TUESDAY THE 5<sup>TH</sup> DAY OF JUNE, 2018

IN COURT NO 2. AT 09:00 A.M

FOR HEARING:

CRIMINAL APPEAL

NO. 2/2018

THE DPP  
VERSUS  
JACKSON SIFAEEL MTARES & 3 OTHERS.

CIVIL APPEAL

NO. 22/2012

AHMED MOHAMED SIWJI  
VERSUS  
NBC LIMITED DEFENDANT AND AMIR  
AHMED SIWJI & ANOTHER

BEFORE: MBAROUK, J.A., MUGASHA, J.A., and MWAMBEGELE, J.A.

WEDNESDAY THE 6<sup>TH</sup> DAY OF JUNE, 2018

IN COURT NO. 1 AT 09:00 A.M

FOR HEARING:

CRIMINAL APPEAL

NO.159 /2010

DHARAU ISSA  
VERSUS  
THE REPUBLIC

CIVIL APPEAL

NO. 176/2016

GODFREY SOMBI AND 118 OTHERS  
VERSUS  
ULTIMATE SECURITY (T) LTD

CIVIL REFERENCE

NO. 5/2016

NICOLOUS HAMISI & 1013 OTHERS  
VERSUS  
THE CONSOLIDATED HOLDINGS  
CORPORATION & 2 OTHERS

BEFORE: MUSSA, J.A., MZIRAY, J.A., and NDIKA, J.A.  
WEDNESDAY THE 6<sup>TH</sup> DAY OF JUNE, 2018  
FOR JUDGMENT WRITING

BEFORE: MMILLA, J.A., MWARIJA, J.A., and MWANGESI, J.A.  
WEDNESDAY THE 6<sup>TH</sup> DAY OF JUNE, 2018  
IN COURT NO 2. AT 09:00 A.M

FOR HEARING:

CRIMINAL APPEAL

NO. 251 /2012

SHIJA MASUNGA BUNDALA  
VERSUS  
THE REPUBLIC

CIVIL APPEALS

NO. 112/2011

ADDAX B.V GENEVA BRANCH  
VERSUS  
KIGAMBONI OIL CO. LTD

NO. 9/2011

PRAY GOD MBAGA  
VERSUS  
GOVERNMENT OF KENYA CRIMINAL  
INVESTIGATION DEPARTMENT & ANOTHER

THURSDAY THE 7<sup>TH</sup> DAY OF JUNE, 2018  
JUDGMENT WRITING FOR PANELS 1 & 3

BEFORE: MUSSA, J.A., MZIRAY, J.A., And NDIKA, J.A.:  
THURSDAY THE 7<sup>TH</sup> DAY OF JUNE, 2018  
IN COURT NO. 1 AT 09:00 A.M

FOR HEARING:

CRIMINAL APPEALS

NO. 498 /2016

RV THABO HAMZA MINI  
VERSUS  
THE REPUBLIC

NO. 247/2014

MASHAKA ALLY @ SHAKA ZULU  
VERSUS  
THE REPUBLIC

CIVIL APPLICATION

NO. 22/2011

MWADAWA MAULID  
VERSUS  
AYUBU SEMI MAULIDI

FRIDAY THE 8<sup>TH</sup> DAY OF JUNE, 2018

JUDGMENT WRITING



E. Y. MKWIZU

DEPUTY REGISTRAR  
COURT OF APPEAL (T)

AT DAR ES SALAAM.  
2<sup>ND</sup> DAY OF MAY, 2018.