

**IN THE HIGH COURT OF TANZANIA  
(DAR ES SALAAM SUB-REGISTRY)**

**AT DAR ES SALAAM**

**CIVIL CASE NO. 8323 OF 2025**

**SAID ISSA MOHAMMED ..... 1<sup>ST</sup> PETITIONER  
AHMED RASHID KHAMIS ..... 2<sup>ND</sup> PETITIONER  
MAULIDAH ANNA KOMU ..... 3<sup>RD</sup> PETITIONER**

**VERSUS**

**THE REGISTERED TRUSTEES OF**

**CHAMA CHA DEMOKRASIA NA MAENDELEO**

**(CHADEMA) ..... 1<sup>ST</sup> RESPONDENT**

**GENERAL SECRETARY-**

**CHAMA CHA DEMOKRASIA NA MAENDELEO**

**(CHADEMA) ..... 2<sup>ND</sup> RESPONDENT**

**RULING**

*11<sup>th</sup> February, 2026*

**MWANGA, J.**

Before this Court are seven (7) points of Preliminary Objection raised by the Respondents on the 24th day of September, 2025, challenging the competence of the Petition filed on 14th April, 2025. The objections are premised principally on alleged want of jurisdiction, improper procedure, lack

of territorial competence, and want of locus standi. For clarity and completeness, the objections were framed as follows: –

1. That this Court lacks jurisdiction to hear and determine matters relating to the alleged violation of political rights of the Petitioners and members of Chama Cha Demokrasia na Maendeleo from Tanzania Zanzibar, allegedly guaranteed under various provisions of the Constitution of the United Republic of Tanzania, including Articles 3(1), 8(1) and (2), 20(1) and (2), 21(1)and (2), 26(1), and 29(1), (2) and (5), on the ground that this Court is not a constitutional court as envisaged under sections 4 and 8(1) of the Basic Rights and Duties Enforcement Act, Cap. 3 R.E. 2023;
2. That allegations of discrimination concerning unequal distribution and ownership of party assets between Mainland Tanzania and Tanzania Zanzibar, as well as discrimination in employment opportunities within the Party, if at all exists, implicate Articles 13(1) and (2) & (4) and (5), 22(1) and (2), 23(1) and (2), 24(1) and (2), 26(1), and 29(1)–(2) & (5) of the Constitution, and are therefore matters exclusively triable by a constitutional court properly seized under sections 4 and 8(1) of the

Basic Rights and Duties Enforcement Act, Cap. 3 R.E. 2023, read together with Article 30(3) of the Constitution;

3. That allegations attributing statements to senior party members allegedly questioning the constitutional status of Tanzania Zanzibar within the Union, and allegedly preferring policies aimed at stripping Zanzibar of its constitutional privileges, if true, raise constitutional questions touching on numerous provisions of the Constitution of the United Republic of Tanzania, including Articles 1, 2(1)–(2), 3(1), 8(1)–(3), 9(a)–(k), and others, and thus fall outside the jurisdiction of this Court, which is not a constitutional court as contemplated under Articles 26(2) and 30(3) of the Constitution and sections 4 and 8(1) of the Basic Rights and Duties Enforcement Act, Cap. 3 R.E. 2023;
4. That allegations of discriminatory views based on religion and gender, allegedly expressed during internal party meetings and public addresses, if true, contravene Articles 12(1) and (2), 13(1), (2), (4) and (5), 22(1)–(2), 23(1)–(2), 24(1)–(2), 26(1) and 29(1), (2) & (5) of the Constitution, and are matters which can only be competently interrogated by a constitutional court and not by this Court;

5. That allegations touching on failure to promote Union principles, good governance, national ethics, non-discrimination, and social inclusion directly implicate the constitutional foundation and framework of the United Republic of Tanzania as encapsulated under Articles 1, 2(1) and (2), 3(1), 8(1)–(3), 9(a)–(k), and related provisions of the Constitution of 1977, as amended;
6. That this Court lacks territorial jurisdiction to entertain claims arising from or affecting Tanzania Zanzibar, as provided under section 2(2) of the Judicature and Application of Laws Act, Cap. 358 R.E. 2023, read together with Articles 4(1), 114(1) and (2), and 115(1) and (2) of the Constitution of the United Republic of Tanzania; and
7. That the Petition is materially defective on account of the contention by the 2nd and 3rd Petitioners, who are also members of the Registered Trustees of Chama Cha Demokrasia na Maendeleo, that they are senior party leaders in Tanzania Zanzibar, an arrangement alleged to be in contravention of section 41(3) of the Political Parties Act, Cap. 258 R.E. 2023, which prohibits registered trustees from holding leadership or other prominent positions within a political party.

The Petitioners opposed the Preliminary Objections, contending that they are misconceived, repetitive of issues already determined, and that the Petition properly invokes the jurisdiction of this Court, particularly in view of its public interest character.

To appreciate the nature and basis of the Respondents' Preliminary Objections, it is necessary to briefly outline the factual background giving rise to the Petition. In the Petition, particularly under paragraphs 4, 18, 19, 20, 21, and 22, the Petitioners allege that the Respondents, namely, *The Registered Trustees of Chama Cha Demokrasia na Maendeleo (CHADEMA)* and the *General Secretary of CHADEMA*, have violated the laws governing political parties as well as the Party's Constitution.

The allegations include unequal distribution and utilization of party assets and financial resources between Mainland Tanzania and Tanzania Zanzibar, discrimination based on religion and gender by senior party members, denial of equal employment opportunities within the Union, and issuance of statements undermining the Union and questioning Zanzibar's constitutional status. The Petitioners further contend that such conduct offends the principles of unity, good governance, non-discrimination, and

social inclusion, thereby depriving party members from Tanzania Zanzibar, including the Petitioners themselves, of their right to meaningfully participate in political processes. They aver that attempts to resolve the dispute through internal party mechanisms were made but proved unsuccessful.

It is against this factual and legal background that the Petitioners instituted the present proceedings and sought the following reliefs: -

- (i) A declaration that the Respondents are in breach of section 6A (1), (2), and (5) of the Political Parties Act, Cap. 258 R.E. 2019.
- (ii) A declaration that the Respondents' allocation of funds, assets, and resources between Mainland Tanzania and Tanzania Zanzibar is illegal, null, and void;
- (iii) An order directing the Respondents to comply with section 6A (1), (2), and (5) of the Political Parties Act, Cap. 258 R.E. 2019;
- iv. An order for temporary suspension of all political activities pending compliance with the Court's orders;
- (iv) An order of perpetual injunction restraining the use of party assets, funds, and resources until compliance with the law;
- (v) Costs of the Petition; and

- (vi) Any other relief(s) as this Honourable Court may deem fit to grant.

In light of the foregoing pleadings and the nature of the objections raised, the Court directed that the Preliminary Objections be heard by way of written submissions. The Petitioners were represented by Mr. Shabani Nsato Marijani, learned counsel, while the Respondents were represented by Dr. Rugemeleza Nshala, also learned counsel.

According to Dr. Rugemeleza Nshala, learned counsel for the Respondents, the impugned paragraphs of the Petition allege violations of constitutional rights, including discrimination, unequal distribution of party resources, marginalisation of members from Tanzania Zanzibar, and conduct allegedly threatening the constitutional status of Tanzania Zanzibar within the Union. Counsel submitted that such allegations squarely implicate Articles 1-3, 8-9, 12-24, and 26-29 of the Constitution of the United Republic of Tanzania.

It was therefore his contention that the claims fall within the purview of Articles 30(3) and 30(4) of the Constitution and ought to have been pursued through the prescribed constitutional enforcement mechanism,

namely the Basic Rights and Duties Enforcement Act, Cap. 3 R.E. 2023 (hereinafter "BRADEA"). According to counsel, BRADEA mandates that such proceedings be instituted by way of originating summons before a constitutional court constituted by a panel of three judges, in accordance with section 10(1) and (2) of the Act, and in strict compliance with the attendant procedural requirements, including the specification of the constitutional provisions alleged to have been violated.

Counsel further argued that the Petitioners failed to comply with mandatory requirements under BRADEA, including those set out under section 6 thereof and the relevant Practice and Procedure Rules, by omitting, inter alia, to properly set out the names of the parties, the grounds for relief, the factual particulars supporting the alleged violations, and the precise nature of the reliefs sought. He maintained that even assuming, *arguendo*, that the Petitioners intended to enforce rights falling outside Articles 12–29 of the Constitution, the Petition would nonetheless be required to be heard and determined by a panel of three judges.

In support of these submissions, learned counsel cited the decisions in **Mary Barnaba Mushi vs Attorney General** [2023] TZHC 17410 and

**Onesmo Olungurumwa vs Attorney General** [2020] TZHC 4600, wherein the High Court underscored that non-compliance with the procedural requirements governing constitutional petitions renders such petitions incompetent.

At the forefront of his submissions, Dr. Nshala further contended that the Petition concerns matters affecting Tanzania Zanzibar, over which the High Court of Zanzibar enjoys territorial jurisdiction pursuant to Article 115(2) of the Constitution, read together with section 2 of the Political Parties Act. On that basis, he argued that the High Court of Tanzania (Mainland) lacks jurisdiction to entertain the matter.

Counsel also faulted the manner in which the Petition was drafted, submitting that the Petitioners had deliberately and dubiously couched a constitutional dispute as an ordinary statutory petition in an attempt to circumvent the mandatory constitutional procedures. He submitted that such “clever drafting” intended to avoid the operation of the law is impermissible. Reliance was placed on **Tanzania Revenue Authority vs New Musoma Textiles Ltd**, Civil Appeal No. 93 of 2009 [2011] TZCA 278.

Additionally, counsel submitted that the 2nd and 3rd Petitioners, being both Registered Trustees of CHADEMA and senior party leaders, are in contravention of section 41(3) of the Political Parties Act, Cap. 258 R.E. 2023, and consequently lack locus standi to institute the Petition. He argued that, having expressly pleaded these facts, the said Petitioners are estopped from denying them, in light of the decision in **Paulina Samson Ndawavya vs Theresia Thomasi Madaha**, Civil Appeal No. 45 of 2017 [2019] TZCA 453. Counsel thus maintained that section 41(3) of the Political Parties Act had been violated.

In response, the Petitioners, through Mr. Shabani Nsato Marijani, learned counsel, opposed the Preliminary Objections, contending that they are repetitive, misconceived, and devoid of merit. Counsel submitted that the objections raise factual controversies which cannot be resolved as pure points of law. He further argued that objections numbered one to five had already been determined by this Court in its ruling dated 10th June, 2025, delivered between the same parties.

Counsel maintained that the impugned paragraphs, namely, paragraphs 4, 18, 19, 20, and 21 of the Petition, contain factual assertions

which disqualify them from being the subject of preliminary objections. He further submitted that the objections founded on section 41(1) and (3) of the Political Parties Act similarly require factual inquiry and therefore cannot be raised at this stage.

According to learned counsel, the Petition seeks enforcement of statutory obligations under the Political Parties Act rather than constitutional enforcement of fundamental rights. Consequently, the procedural regime under BRADEA is inapplicable. Counsel also asserted that this Court has both territorial and pecuniary jurisdiction, given that the Respondents are based in Dar es Salaam and that the subject party's assets are located in Mainland Tanzania.

In rejoinder, the Respondents maintained their earlier stance, reiterating that the Petition, in substance, raises constitutional grievances relating to discrimination, denial of political participation, and threats to the status of Tanzania Zanzibar within the Union. They insisted that the Petitioners failed to invoke the proper constitutional enforcement mechanism and that this Court lacks territorial jurisdiction. They further contended that the Preliminary Objections raise pure points of law, particularly on

jurisdiction and procedure, which can be determined solely from the pleadings.

I have carefully considered the Petition, the Preliminary Objections, the written submissions and rejoinders by learned counsel for both parties, together with the relevant constitutional, statutory, and judicial authorities. However, before embarking on the determination of the objections, it is necessary to reproduce the specific paragraphs of the Petition which form the basis of the Preliminary Objections. The contested paragraphs are framed as follows: –

*"4. The Petitioners claims against the Respondents jointly and severally for declaratory orders that the Respondents are in breach of the laws relating to political parties and the Party's own constitution for reasons of uneven distribution and utilization of the party assets and financial resources between Tanzania Zanzibar and Mainland Tanzania; discrimination based on religion and gender; and espousing views and statements calculated at disrupting the union among and between the two sides of the United Republic of Tanzania.*

*18. That, the Respondents have also not extended employment opportunities within the party offices to members from Tanzania Zanzibar. At any point in time the Respondents have not employed*

*more than 4 employees in Tanzania Zanzibar; which is contrary to among other things, the Constitution of the party and regulations made thereunder.*

*19. That, the senior members of the party, within internal party meetings and public addresses have espoused views and opinions of discriminatory nature on the basis of religion and gender, much to the protestation of the petitioners herein.*

*20. That, the Senior members of the party have further uttered statements questioning the status of Tanzania Zanzibar within the Union and have indicated preferring policies which are aimed at stripping away constitutional privileges afforded to Tanzania Zanzibar; these have enflamed the passions of the Petitioners, other party members and residents of Tanzania Zanzibar, and have thus made it very difficult for the party to conduct its affairs in Unguja and Pemba as part of the United Republic of Tanzania.*

*21. That, under the above-mentioned circumstances, the party, its administration and operations as carried out by the Respondents do not adhere to the principles promoting the Union of the United Republic of Tanzania, good governance, national ethics and core values, non-discrimination and social inclusion.*

*22. That, furthermore, the current state of affairs serves to deprive the members of the party who reside in Tanzania, Zanzibar,*

*including the petitioners herein, their rightful opportunity to fully participate in the political process and activities”.*

Having set out the impugned paragraphs, I now turn to the question of whether the objections raised qualify as proper preliminary objections. This question is largely settled and need not detain this Court at length. It is a trite law that a preliminary objection must raise a pure point of law capable of disposing of the suit without recourse to evidence. This principle was authoritatively stated in **Mukisa Biscuit Manufacturing Co. Ltd vs West End Distributors Ltd** [1969] 1 EA 696 and has consistently been applied by our courts. In **Karata Ernest and Others vs Attorney General**, Civil Revision No. 10 of 2010 (unreported), the Court of Appeal stated:

*"At the outset, we showed that it is a trite law that a point of preliminary objection cannot be raised if any fact has to be ascertained in the course of deciding it. It only consists of a point of law which has been pleaded or which arises by clear implication out of the pleadings. Obvious examples include objection to the jurisdiction of the court; a plea of limitation; or where the court has been wrongly moved”.*

I must emphasize that while objections on jurisdiction may properly be raised as preliminary objections, those that require factual ascertainment,

interpretation of contested pleadings, or evidentiary inquiry do not qualify. With that guiding principle in mind, I now proceed to address each point of Preliminary Objection. However, since the Petitioners have raised the concern that the Court is **functus officio**, I shall address that issue first.

The Petitioners argued that this Court had already determined the first to the fifth objections in its ruling delivered on 10th June, 2025, and is therefore barred by the doctrine of *functus officio*. Upon revisiting the said ruling, I find that although certain procedural issues were previously determined, including *locus standi*, the applicable procedural framework, and the nature of documents to be filed, the present objections have been reformulated, expanded, and re-argued under a different analytical and legal framework. The doctrine of *functus officio* must be applied cautiously so as not to stifle the adjudication of genuinely live issues. I therefore hold that the objections are not barred on that ground. That finding, however, does not resolve their substantive merit. Having so found, I shall now revert to the merits of the Preliminary Objections raised.

As to whether the Nature of the Petition is Constitutional or Statutory. The Respondents' principal contention is that the Petition raises

constitutional grievances and therefore ought to have been instituted under Article 30 of the Constitution and BRADEA, to be heard by a panel of three judges. With respect, I am unable to agree with that proposition for the reasons I now set out.

First, a careful reading of the Petition reveals that the cause of action is firmly anchored in section 6A of the Political Parties Act, Cap. 258 now Section 9 of the R.E. 2023. The reliefs sought are declaratory and coercive in nature, aimed at compelling compliance with statutory obligations governing political parties. The Petition does not seek a constitutional interpretation, the invalidation of any constitutional provision, or the direct enforcement of fundamental rights under Articles 12 to 29 of the Constitution of the United Republic of Tanzania.

Second, although the Petition references constitutional values such as equality, non-discrimination, unity, and political participation, these values are invoked only as contextual guides to the scope and content of the statutory duties imposed by the Political Parties Act. They are not pleaded as the legal basis for the claim. It is well settled that a mere reference to

constitutional principles does not, without more, transform a statutory dispute into a constitutional petition.

Third, courts are enjoined from engaging in constitutional adjudication when a dispute can be conclusively resolved on statutory grounds. This principle of constitutional restraint is particularly important when Parliament has provided clear, adequate, and effective statutory remedies. In such circumstances, the constitutional jurisdiction should not be invoked unnecessarily. For instance, in **Tanzania Cigarette Company Ltd vs The Fair Competition Commission & Another** [2012] TZHC 31, the Court emphasized that the High Court should not exercise its constitutional jurisdiction under the Basic Rights and Duties Enforcement Act where other adequate statutory remedies are available. The court stated further that section 8(2) of the Basic Rights and Duties Enforcement Act precludes constitutional relief where a litigant has statutory remedies under other written laws that are adequate to address the dispute. This principle embodies judicial restraint by avoiding unnecessary constitutional adjudication and respecting the presumption of constitutionality of statutes. This principle was similarly articulated in **Federation of Mines**

**Associations of Tanzania & 2 Others vs MS Africa Gem Resources & 7 Others** [Misc. Civil Case No. 23 of 2001], where the Court observed that:

*"This does not, however, mean that a party in a human rights case can disregard compliance of legal requirements with impunity. The mentioned liberal approach is not applicable if it renders a provision of law nugatory..."*

In the Kenyan case in ***Ndung'u & Another vs. Wachira & Another*** [2025] KEHC 7265, the High Court of Kenya reaffirmed that constitutional petitions should not be the first recourse where statutory remedies exist. The High Court of Kenya emphasized on the doctrines of exhaustion of remedies and constitutional avoidance, highlighting the role of regulatory institutions in addressing data protection disputes while reserving constitutional intervention for cases where statutory mechanisms are insufficient.

This underscores the relevance of such a position to Tanzania's personal data protection framework. It explores the statutory framework established by the Personal Data Protection Act, Cap. 44 R.E. 2023 ( the **PDP Act**), the Personal Data Protection (Personal Data Collection and Processing) Regulations GN No. 499C of 2023 (the **Collection and Processing**

**Regulations**), the Personal Data Protection (Complaints Settlement Procedures) Regulations GN No. 449B of 2023 (the **Complaints Settlement Regulations**) (as amended), and the constitutional framework under both the Constitution of the United Republic of Tanzania, R.E 2023 (the **Constitution of the URT**) and the Basic Rights and Duties Enforcement Act Cap. 3 R.E. 2023 (the **BRADEA**).

It further reinforces that, although the right to privacy is a constitutional guarantee under Article 16 of the URT Constitution, the Tanzanian legal system also recognizes other statutory avenues for privacy-related claims. For instance, Part V of the Media Services Act, Cap. 299 R.E. 2023 (the **MSA**), along with the Media Services (Defamation Proceedings) Rules, 2019 (the **MSR**), sets out a specific procedure for bringing privacy claims related to defamation. Rule 4(1) of the MSR provides that proceedings under Part V of the MSA must be instituted by way of a petition in Form DP, as set out in the Schedule to the MSR. Similarly, the Civil Procedure Act, Cap. 33 R.E. 2023 offers an additional pathway for instituting civil proceedings, further underscoring that, although privacy is a constitutional right, there are other statutory avenues that play a crucial role in ensuring its enforcement.

Applying these authorities to the present case, it is evident that the Petitioners' claims are founded on section 6A of the Political Parties Act, which imposes statutory obligations on political parties regarding equitable distribution of resources, non-discrimination, and governance of party affairs. The reliefs sought are declaratory and coercive orders compelling compliance with the statutory obligations, which are statutory in nature. The Petition does not seek interpretation of the Constitution, invalidation of any constitutional provision, or direct enforcement of fundamental rights under Articles 12–29

Accordingly, in line with the principle of constitutional avoidance, the Petition is properly before this Court as a statutory public-law claim. Reliance on the Basic Rights and Duties Enforcement Act is, therefore, unnecessary and inappropriate. The Petitioners are entitled to have their claims adjudicated under the Political Parties Act, without invoking constitutional jurisdiction, which is reserved for circumstances in which no adequate statutory remedy exists.

Of significance, in any event, the Petition raises serious allegations concerning the governance of a major political party, the equitable

participation of members across both sides of the Union, and the management and use of party resources. These matters clearly transcend private interests and directly implicate democratic governance and the integrity of the multiparty system. As such, public interest litigation calls for a purposive, facilitative, and justice-oriented approach. Article 107A(2)(e) of the Constitution enjoins courts to administer justice without undue regard to technicalities. Procedural rules exist to serve the ends of justice, not to defeat them. See the case of **Yakobo Magoiga Gichele vs. Peninah Yusuph**, Civil Appeal No. 55 of 2017, and **Gasper Peter vs. Mtwara Urban Water Supply Authority (MTUWASA)**, Civil Appeal No. 35 of 2017. Accordingly, even if any procedural imperfections were present (which I do not find), they would, in the circumstances of this case, be curable rather than fatal.

Next is the third issue, namely, whether this Court has territorial jurisdiction to determine the claims. The Respondents contended that this Court lacks jurisdiction because the alleged violations occurred in Tanzania and Zanzibar and should therefore be heard by the High Court of Zanzibar. I find this argument misconceived. The Respondents are based in Dar es Salaam, and the Party's national administration, finances, and decision-making organs operate substantially within Mainland Tanzania. Accordingly,

a material part of the cause of action arose within the jurisdiction of this Court.

Further, Article 115(2) of the Constitution does not oust the jurisdiction of the High Court of Tanzania; it merely affirms the competence of the High Court of Zanzibar where appropriate. The provision establishes concurrent jurisdiction, not exclusivity. In light of the foregoing, I am satisfied that this Court is properly seized with territorial jurisdiction to adjudicate the Petition.

Regarding the fourth issue, namely whether the Petition is materially defective due to the contention that the 2nd and 3rd Petitioners who are members of the Registered Trustees of Chama Cha Demokrasia na Maendeleo (CHADEMA) also hold senior party positions in Tanzania Zanzibar, and that such dual roles allegedly contravene section 41(3) of the Political Parties Act, Cap 258 R.E. 2023, I am of the considered view that this contention raises factual questions requiring evidence. Whether the 2nd and 3rd Petitioners fall within the statutory definition of “party leaders” cannot be determined at this stage. These matters cannot be properly resolved by way of a preliminary objection and must await full determination at trial. This is in line with the principle laid down in the case of **Soitambu Village**

## **Council and Another vs Tanzania Breweries Limited [2021] TZCA 351**

TanzLII, where the court held that;

*A preliminary objection should be free from facts calling for proof or requiring evidence to be adduced for its verification. Where a court needs to investigate facts, such an issue cannot be raised as a preliminary objection on a point of law. The court must therefore insist on the adoption of the proper procedure for entertaining applications for preliminary objections. It will treat as preliminary objections only those points that are pure law, unstained by facts or evidence, especially disputed points of fact or evidence. The objector should not condescend to the affidavits or other documents accompanying the pleadings to support the objection, such as exhibits.*

Applying the principle enunciated in the foregoing authority to the present matter, it is manifest that the objection predicated upon the alleged contravention of section 41(3) of the Political Parties Act, Cap 258 R.E. 2023, is inextricably intertwined with disputed questions of fact requiring evidentiary ascertainment; consequently, it does not qualify as a pure point of law capable of disposal by way of preliminary objection and must properly be deferred for determination upon full trial

Lastly, the fifth issue is whether Judicial Review was the Proper Remedy. The Respondents contended that judicial review was the appropriate procedure. I hasten to state that judicial review is a supervisory remedy concerned primarily with questions of process, legality, and procedural propriety. The Petition before this Court, however, seeks substantive declarations and enforcement of statutory obligations under the Political Parties Act. Judicial review would not provide an adequate or effective remedy for the relief sought. In these circumstances, I am satisfied that the Petitioners were entitled to approach this Court as they have done.

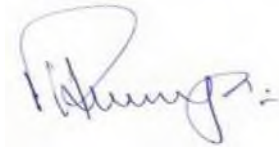
In the upshot, I find that the objections raised have no merit. The Petition is firmly grounded in statutory enforcement rather than constitutional enforcement, and considerations of public interest weigh strongly against striking out the Petition at a preliminary stage. Accordingly, this Court has both subject-matter and territorial jurisdiction to adjudicate the claims.

## **Orders**

1. All the Preliminary Objections are hereby dismissed in their entirety.
2. The Petition is competent and properly before this Court.
3. The matter shall proceed to a hearing on the merits.

4. Given the public interest nature of the litigation, there shall be no order as to costs at this stage.

It is so ordered accordingly.

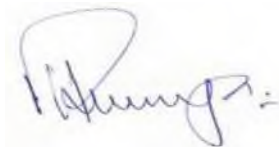


**H.R. MWANGA**

**JUDGE**

**11/02/2026**

**COURT:** Ruling delivered in chambers today, **11th day of February, 2026**, in the presence of Mr. Shabani Nsato Marijani and Gido Semfukwe, for the Petitioners and Dr. Rugemeleza Nshala & Hekima Mwasipu, Advocate for the respondents.



**H.R. MWANGA**

**JUDGE.**

**11/02/2026**

