

SUBSIDIARY LEGISLATION

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THE CIVIL PROCEDURE CODE (CAP. 33)

NOTICE

(Made under Section 101)

THE CIVIL PROCEDURE CODE (APPROVED FORMS) NOTICE, 2017

Citation

1. This Notice may be cited as the Civil Procedure (Approved of Forms) Notice, 2017.

Approved forms
Cap. 33

2. The Forms prescribed in the Schedule shall be used in connection with proceedings under the Civil Procedure Code.

Variation of
forms

3. The forms contained in the Schedule may be modified or altered in expression to suit the circumstances of each case and variation from such form not being a matter of substance shall not affect the validity or regularity of the form.

Durability of
paper

4. All forms filed in the High Court shall be on the paper durable unless the Registrar of the High Court directs otherwise.

FORM NO. A/1

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

SUMMONS TO FILE WRITTEN STATEMENT OF DEFENCE

(O. V, r 1 CPC)

To:.....

.....

WHEREAS the above named Plaintiff(s) has/have instituted a suit against you upon the claim the particulars of which are set out in annexed copy of the plaint;

YOU ARE HEREBY NOTIFIED that you must file your **WRITTEN STATEMENT OF DEFENCE** in duplicate within **twenty one (21)** days of service of this notice upon you. If there is more than one plaintiff, additional copies of your written statement of defence must be filed sufficient for service on each of the Plaintiffs. If there are more defendants than one and the defence is not joint defence, you must file sufficient copies for service on each of the other defendants.

AND TAKE NOTICE that if you default in filing the written statement of defence within the time specified, the court may pronounce judgment against you.

TAKE FURTHER NOTICE that the case also has been fixed for order before Hon.....

..... Judge/Magistrate on the.....day of.....,
20.... at O'clock in the forenoon/afternoon

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this..... day
of....., 20....

.....
REGISTRAR/MAGISTRATE

I HEREBY acknowledge the receipt of a duplicate of this summons this
.....day of....., 20.....

.....
DEFENDANT

FORM NO. A/2

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

SUMMONS IN SUMMARY SUIT

(O.XXXV, r. 2(1) of the Civil Procedure Code)

To
.....

WHEREAS the above named Plaintiff(s) has/have instituted a suit against you under Order XXXV of the Civil Procedure Code Act [Cap. 33 R.E 2002] for Tshs..... being the principal sum and interest due to him as per plaint annexed hereto, you are hereby summoned to obtain leave from the court within **twenty one (21)** days from the service hereof to appear and defend the suit and within such time to cause an appearance to be entered for you.

In default whereof the plaintiff will be entitled at any time after the expiration of such twenty one days to obtain a decree for any sum not exceeding the sum of T.shs and costs with such interest, if any, from the date of the institution of the suit as the court may order.

Leave to appear and defend may be obtained on an application to the court supported by affidavit or declaration showing that there is a defence to the suit on the merits or that it is reasonable that you should be allowed to appear in the suit.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this.....day
of.....20.....

.....
REGISTRAR/MAGISTRATE

I HEREBY acknowledge the receipt of a duplicate of this summons this
.....day of....., 20

.....
DEFENDANT

FORM NO. A/3

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

NOTICE TO PERSON WHO THE COURT CONSIDERS
SHOULD BE ADDED AS CO-PLAINTIFF

(O. 1, R 10 of the Civil Procedure Code)

To
.....

WHEREAS the above named Plaintiff(s) has/have instituted the above suit against.....for.....and whereas it appears necessary that you should be added as a plaintiff in the said suit in order to enable the court to effectually and completely adjudicate upon and settle all the questions involved:

TAKE NOTICE that you should on or before the.....day of....., signify to this court whether you consent to be so added.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, thisday of.....

.....
REGISTRAR/DEPUTY REGISTRAR

I HEREBY acknowledge the receipt of a duplicate of this summons thisday of.....,

.....
DEFENDANT

FORM NO. A/4

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE OF
AT.....

CIVIL CASE NO.....OF.....
.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

SUMMONS TO LEGAL REPRESENTATIVE OF A DECEASED DEFENDANT

(O. XXX, R 1 of the Civil Procedure Code)

To
.....

WHEREAS the above named Plaintiff(s) has/have instituted a suit in this Court on the..... day of....., 20....., against the defendant, now deceased, and whereas the said plaintiff has made an application to this Court alleging that you are the legal representative of the said deceased and desiring that you be made the defendant in his/her stead;

You are hereby summoned to attend in this Court on the.....day of 20..... at in the forenoon/afternoon to defend the said suit and in default of your appearance on the day specified, the said suit will be heard and determined in your absence.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this.....day
of..... 20.....

.....
REGISTRAR/MAGISTRATE

I HEREBY acknowledge the receipt of a duplicate of this summons this
.....day of..... 20

.....
LEGAL REPRESENTATIVE OF THE DEFENDANT

FORM NO. A/5

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE OF
AT.....

CIVIL CASE NO.....OF.....
.....PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

**ORDER FOR TRANSMISSION OF SUMMONS FOR SERVICE
IN THE JURISDICTION OF ANOTHER COURT**

(O. V, R 22 (1) and (2) of the Civil Procedure Code)

To
.....

WHEREAS the above named Plaintiff(s) has/have stated that the defendant/witness in the above suit is at present residing outside the jurisdiction of this court, it is ordered that a plaint and a summons returnable on the.....day of..... 20..... be forwarded to the court of Resident Magistrate/District Court of at.....for service on the said defendant /witness with a duplicate of the summons .

The court-fee of..... chargeable in respect to the summons has been realized in this court in receipt ERV NO..... dated

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, This.....day
of..... 20.....

.....

FORM NO. A/6

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

ORDER FOR TRANSMISSION OF SUMMONS TO BE
SERVED ON A PRISONER

(O. V, R 24 of the Civil Procedure Code)

To the Superintendent of the Prison,

.....

UNDER the provisions of Order V rule 24 of the Civil Procedure Code Act [Cap. 33 R.E 2002] a summons in duplicate is herewith forwarded for service on the defendant who is a prisoner in your prison. You are requested to cause a copy of the said summons to be served upon the said defendant and to return the original to this court signed by the said defendant, with a statement of service endorsed thereon by you.

YOU ARE FURTHER ORDERED to cause his appearance in court on the date specified in summons requiring his appearance in court.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this.....day
of..... 20.....

FORM NO. A/7

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

**ORDER FOR TRANSMISSION OF SUMMONS TO BE SERVED
ON A PUBLIC SERVANT OR SOLDIER**

(O. V, R 25 and 26 of the Civil Procedure Code)

To.....
.....

UNDER the provisions of Order V rule *25/26 of the Civil Procedure Code Act, {Cap. 33 R.E 2002} a summons in duplicate is herewith forwarded for service on the defendant (name)..... who is stated to be serving under you. You are requested to cause a copy of the said summons to be served upon the said defendant and to return the original to this Court signed by the said defendant with a statement of service endorsed thereon by you.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this.....day
of..... 20.....

.....
REGISTRAR/MAGISTRATE

.....
DEFENDANT

**Delete whichever is not applicable*

FORM NO. A/8

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(s)

AFFIDAVIT OF PROCESS-SERVER UPON RETURN OF
A SUMMONS OR NOTICE

(O. V, R. 18 of the Civil Procedure Code)

I, do make oath/affirm and
state as follows:-

(1) I am a process-server of this Court.

(2) On the..... day of..... 20, I received summons/notice issued by
this court or the Court of *Resident/District Magistrates court ofat
.....in suit No..... of in *this/said Court dated
the..... day of 20.... for service on
.....

(3) The saidat the time personally known to
me/identified to me by who is known to
me personally and I served the said summons/notice on him/her on the day
of..... 20 at about o'clock in the *forenoon/afternoon by tendering a
copy thereof to him/her and requiring his/her signature to the original summons/notice or
*the said..... refused to sign the process in the
presence of
or

*(State any other reason why service could not be effected)

.....
.....
.....

Sworn/Affirmed by the said.....
who is known to me personally or who has been identified to me
by the latter being known to
.....me personally this.....day of..... 20.....

.....
Registrar/Magistrate

*Delete whichever is not applicable

FORM NO. B/1

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

Notice of Mediation

(O. VIII, r. 1 of the Civil Procedure Code)

To.....
.....

This case has been set for mediation on.....day of..... 20..... at.....in the fore/afternoon before Hon..... Judge/Magistrate (Mediator) and ALL PARTIES and their advocates or recognized agents are hereby ORDERED to appear. Unless an agreement disposing of this case is filed in advance of this date the mediation will occur as scheduled.

Please Note:-

1. All parties who must approve a settlement and at least one advocate or recognized agent for each party, if represented, must appear on the date and time before the said mediator. If the settlement must be approved by someone other than a party to the suit, the person should be available by telephone, if possible, during the scheduled mediation. Institutional parties must have an individual with the authority to settle the case present at the mediation.
2. Each party or advocate or recognized agent must bring to the mediation (1) if damages are requested, an outline of how they have been or should be calculated (including, if appropriate, the time, period, and rates of interest), and (2) relevant documentation, such as appraisals, receipts, and records.
3. All proceedings at the mediation, including any statement made or document prepared by any party, advocate, or other participants, are confidential and will not be disclosed to the trial judge or magistrate or affect the case if it is not settled at this time. No party shall be bound by anything said or done in mediation unless a settlement is reached. If a settlement is reached, the agreement will be put in writing and will be binding upon the parties to the agreement.
4. In the event that a party and, if represented, his advocate do not appear at the mediation, the Court shall make such orders against the defaulting party, agent or advocate as it deems fit, including an order for costs, unless there are exceptional circumstances for not making such orders.

GIVEN under my HAND and the SEAL of this court this.....day of..... 20.....

.....
REGISTRAR/MAGISTRATE

FORM NO. B/2

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

Statement of Understanding

(O. VIII C, r.1 of the Civil Procedure Code)

Hon.....Judge/Magistrate has been assigned to mediate your case. She/he will serve as a neutral party to help you resolve your dispute. He/she will not act as an attorney or advocate for any party, nor will he/she be the trial Judge/Magistrate if agreement is not reached and your case proceeds to trial.

The parties and advocates whose signatures appear below agree that all proceedings at the settlement conference, on this date and any/ all subsequent meetings or conferences including any statement made or document prepared for the conference(s) by any party, advocate or other participants, are privileged and confidential, and shall not be disclosed in any subsequent proceedings or construed for any purpose as an admission against interest. The phrase documents prepared for the conference by any party, advocate or other participant shall not be deemed to apply to any settlement agreement reached. Any settlement agreement reached shall be reduced into writing and, when entered on court record and signed by the judge or magistrate and all parties to the agreement, shall be binding. The parties agree not to summon the mediator as a witness or to produce any documents submitted to the mediator in any subsequent proceedings. In no event will a mediator voluntarily testify on behalf of a party.

Please sign below to acknowledge that you have read and understood this statement.

.....

.....

.....

.....

.....
Plaintiff(s)

.....
Defendant(s)

Date.....

Date.....

.....

Mediator

Date.....

FORM NO. B/3

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

Consent Settlement Order

(O. VIIC, r. 1 of the Civil Procedure Code)

The parties agree as follows:

1.
2.
3.
4.
5.
6.

.....
Signature (Plaintiff)
Address.....
.....
Date.....

.....
Signature(Defendant)
Address.....
.....
Date.....

.....
Mediator
Date.....

FORM NO. B/4

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

Summons for Settlement of Issues
(O.XIV, r 1 & 2 of the Civil Procedure Code)

To.....
.....

WHEREAS the above named Plaintiff(s) has/have instituted a suit against you, you are hereby summoned to appear in this court in person, or by an Advocate duly instructed, and able to answer all material questions relating to the suit, or who shall be accompanied by some person able to answer all such questions, on the..... day of....., 20...., at.....in the fore/afternoon to answer the claim; and you are directed to produce on that day all the documents upon which you intend to rely in support of your defence to file on or before that date your written statement.

Take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this.....day of.....,

.....
REGISTRAR/MAGISTRATE

NOTICE: Should you apprehend your witnesses will not attend of their own accord, you can have a summons from this Court to compel the attendance of any witness, and the production of any document that you have a right to call upon the witness to produce, on applying to the Court and on depositing the necessary expenses.

2. If you admit the claim, you should pay the money into Court together with the costs of the suit, to avoid execution of the decree, which may be against your person or property, or both.

I HEREBY acknowledge the receipt of a duplicate of this summons this
.....day of.....

.....
DEFENDANT

FORM NO. C/1

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... OF.....

AT.....

CIVIL CASE NO:OF

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

Order for Delivery of Interrogatories
(O.XI, r. 1 of the Civil Procedure Code)

Upon hearing of the.....and upon reading the affidavit of
the.....filed the.....day of..... 20

It is ordered that the..... be at liberty to deliver
to..... the interrogatories in writing and that the
said..... to answer the interrogatories as required by the
Law.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this.....day
of..... 20.....

.....
Judge/Magistrate

FORM NO. C/2

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Interrogatories
(O.XI, r. 1 and 2 of the Civil Procedure Code)

Interrogatories on behalf of the above-named for
the examination of the above-named

1. Did
not.....
2. Has not,.....
3.
4.

.....
Defendant/Plaintiff

(The is required to answer the interrogatories
numbered.....). (The is required
to answer the interrogatories numbered.....)

.....
Judge/Magistrate

FORM NO. C/3

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF
.....PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Answer to Interrogatories
(O.XI, r. 5 and 7 of the Civil Procedure Code)

The answer of the above-named to the
interrogatories for his/her examination by the above-named

In answer to the said interrogatories I, the above named make
oath and state as follows:-

(Enter answers to interrogatories in paragraphs numbered consecutively)

And /Or

1. I object to answer the interrogatories numbered..... on the ground
that.....

..... (state the
interrogatories number and grounds of objection in paragraphs numbered consecutively)

Dated at.....this.....day of.....

.....
Defendant/Plaintiff

Sworn/Affirmed before me by.....who is personally
known to me/identified to me by.....the later
being known to me personally.

This.....day of.....

Name.....

Qualification

Signature and official stamp

Address.....

FORM NO. C/4

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Order for Affidavit As To Documents
(O.XI, r. 10 of the Civil Procedure Code)

Upon hearing the (name the applying party) it is
ordered that the.....do, within.....days
from the date of this order, file an affidavit stating which documents are or have been in
his possession or power relating to the matter in question in this suit.

GIVEN under my HAND and the SEAL of the court this.....day of.....
20.....

.....
Judge/Magistrate

FORM NO. C/5

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE.....COURT OFAT.....

CIVIL CASE NO:OF

..... PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

Affidavit as to Documents

(O.XI, R. 10 and 11 of the Civil Procedure Code)

I, (Plaintiff/Defendant) make oath and state as follows:-

1. I have in my possession or power of the following documents:

.....
.....

2. I object to produce the following documents:

.....

On the grounds namely:

3. I have had but have not now in my possession or power of the
(mention the document relating to the matters in question in this suit)

4. The.....
(mention the document(s)) were lost in my possession or power (state what has become of them and in whose possession they now are).....

5. According to the best of my knowledge, information and belief I have not now, and never had, in my possession, custody or power or in the possession, custody or power of my Advocate or agent, or in the possession, custody or power of any other person on my behalf, any account, book of account, voucher, receipt, letter memorandum, paper or writing, or any copy of or extract from any such document, or any other document whatsoever, relating to the matters in question in this suit or any of them, or wherein any entry, has been made relative to such matters or any of them.

Dated at.....this.....day of.....,.....

.....

Defendant/Plaintiff

Sworn/Affirmed before me by.....who is personally
known to me/identified to me by.....the later
being known to me personally

This.....day of.....,.....

Name.....

Qualification

Signature and official stamp

Address.....

**Delete whichever is not applicable*

FORM NO. C/6

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE.....COURT OF
AT.....

CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Order to Produce Documents for Inspection
(O.XI, rr. 10 and 12 of the Civil Procedure Code)***

Upon hearing the..... and upon reading the affidavit
of the..... filed the..... day
of..... It is ordered that the..... do at all
reasonable times on reasonable notice, producesituate
at..... the following documents, namely and that
the.....be at liberty to inspect and peruse the documents so
produced and to make notes of their contents. In the meantime it is ordered that all further
proceedings be stayed and that the costs of this application
be.....

GIVEN under my HAND and the SEAL of the court this.....day of..... 20.....

.....
Judge/Magistrate

FORM NO. C/7

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
.....PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Notice To Produce Documents
(O.XI, r. 13 of the Civil Procedure Code)

Take notice that the requires you to produce
for his inspection the following documents referred to in your
..... dated the.....day of

The documents, the production and inspection of which is required, are as follows:-

1.
2.
3.
4.

Dated at.....this..... day of.....,

.....

.....Advocate for the.....

Copy to: Advocate for the.....

FORM NO. C/8

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT
OF.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Notice to Inspect Documents
(O.XI, r. 14 of the Civil Procedure Code)

Take notice that you can inspect the documents mentioned in your notice of the.....day of.....,..... [except the documents numbered..... in that notice) at.....[insert place of Inspection) on..... the.....day of....., the instant between the hours of 12 and 4 O'clock.

Or, that the.....objects to giving you inspection of documents mentioned in your notice of the.....day..... on the ground that

Dated at.....this..... day of.....,

.....
.....Advocate for the.....

Copy to: Advocate for the.....

.FORM NO. C/9

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Notice to Admit Documents
(O.XII, r. 2 of the Civil Procedure Code)

Take notice that the in this suit, proposes to adduce in evidence the several documents hereunder specified, and that the same may be inspected by the....., his Advocate or agent, at..... on..... between thehours of.....and the is hereby required within hours from the last mentioned hour to admit that such of the, said documents, as are specified to be originals were respectively written signed or executed as they purport respectively to have been , that such as are specified as copies are true copies and such documents as are stated to have been served, sent or delivered were so served, sent or delivered, respectively, saving all just exceptions to the admissibility of all such documents as evidence in this suit.

The documents, the admission of which is required, are as follows:

1. Original documents that were written, signed or executed namely:
.....
.....
.....
2. The true copies of the Original documents namely:
.....
.....
.....
3. The documents that were served, sent or delivered namely:
.....
.....
.....

Dated at.....this..... day of.....
.....
.....Advocate for the.....

Copy to: Advocate for the.....

FORM NO. C/10

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF

..... PLAINTIFF(S)

VERSUS

..... DEFENDANT(S)

Notice to Admit Facts
(O.XII, r. 3 of the Civil Procedure Code)

Take notice that the in this suit requires the
..... to admit, for the purposes of this suits only, the several
facts respectively hereunder specified; and the is
hereby required, within days from the service of this notice, to admit
the said several facts, stating all just exceptions to the admissibility of such facts as
evidence in this suit.

The facts, the admission of which is required, are

Dated at.....this..... day of.....,

.....
.....Advocate for the.....

Copy to: Advocate for the.....

FORM NO. C/11

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... COURT OF

.....AT.....

CIVIL CASE NO:OF

..... PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

*Admission of Facts Pursuant to Notice
(O.XII, r. 3 of the Civil Procedure Code)*

The in this suit, for the purposes of this suit only, hereto admits the several facts respectively hereunder specified subject to the qualifications or limitations, if any, hereunder specified, saving all just exceptions to the admissibility of any such facts, or any of them, as evidence in this suit:

The facts, which are hitherto admitted are as follows:.....

.....

.....

.....

Provided that this admission is made for the purposes of this suit only, and is not an admission to be used against the on any other occasion or by anyone other than the

..... or party requiring the admission.

Dated at.....this..... day of.....,

.....

.....Advocate for the.....

Copy to: Advocate for the.....

FORM NO. C/12

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF

.....AT.....

CIVIL CASE NO: OF

..... PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

Notice to Produce (General Form)
(O.XII, r. 3 of the Civil Procedure Code)

Take notice that you are hereby required to produce and show to the Court at the first hearing of this suit all books, papers, letters, copies of letters and other writing and documents in your custody, possession or power containing any entry, memorandum or minute relating to the matters in question in this Suit, and particularly.....

.....
.....
.....
.....
.....

Dated this..... day of.....

.....
(Plaintiff or Defendant or Advocate)

To (Plaintiff or Defendant or Advocate)

FORM NO. D/1

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(s)

Summons to Witness
(O.XVI, r 1 & 5 of the Civil Procedure Code)

To.....
.....

WHEREAS your attendance is required to testify on behalf of the in the above suit, you are hereby required (personally) to appear before this court on theday of..... 20..... at in the forenoon/afternoon and to bring with you all relevant documents/materials.

If you fail to comply with this order without lawful excuse, you will be subject to the consequences of non-attendance laid down in rule 12 of Order XVI of the Civil Procedure Code, 1966.

GIVEN under my HAND and the SEAL of the court, this.....day
of..... 20.....

.....
DEPUTY REGISTRAR/REGISTRAR/MAGISTRATE

NOTICE: (1) If you are summoned only to produce a document and not to give evidence, you shall be deemed to have complied with the summons if you cause such document to be produced in this Court on the day and hour aforesaid.

(2) If you are detained beyond the day aforesaid, a sum of T.shs..... will be tendered to you for each day's attendance beyond the day specified.

I, HEREBY acknowledge the receipt of a duplicate of this summons this
.....day of..... 20

Signature.....

Date.....

FORM NO. D/2

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE OF
AT.....
CIVIL CASE NO.....OF.....
.....PLAINTIFF(S)
VERSUS
.....DEFENDANT(s)

**Proclamation Requiring Attendance Of Witness
(O.XVI, r 10 (2) of the Civil Procedure Code)**

To:.....
.....
.....

WHEREAS it appears from the examination on oath of the serving officer that the summons could not be served upon the Witness in the manner prescribed by law and whereas it appears that the evidence of the witness is material and he absconds and keeps out of the way for the purpose of evading the service of the summons. This proclamation is therefore, under rule **10 (2)** to Order **XVI** of the Civil Procedure Code, 1966, issued requiring the attendance of the witness in this court on the..... day of..... 20 at.....O'clock in the forenoon/afternoon and from day to day until he shall have leave to depart; and if the witness fails to attend on the day and hour aforesaid he will be dealt with according to law.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this.....
day.....of

.....
REGISTRAR/MAGISTRATE

FORM NO. D/3

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE OF
AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(s)

Warrant of Attachment of Property of Witness
(O.XVI, rr. 10 (3) & 12 of the Civil Procedure Code)

To.....
.....

Court Broker,

WHEREAS....., the witness cited by.....
has not, after the expiration of the period limited in the proclamation issued for his
attendance, appeared in Court, you are hereby directed to hold under attachment
.....property belonging to the said witness to the
value ofand to submit a return, accompanied with an
inventory thereof, withindays.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this.....
day.....of.....

.....
REGISTRAR/MAGISTRATE

FORM NO. D/4

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE OF

AT.....

CIVIL CASE NO.....OF.....

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(s)

Warrant of Arrest of a Witness
(O.XVI, r 10 (3) of the Civil Procedure Code)

To.....

WHEREAS..... has
been duly served with a summons but has failed to attend [absconds and keeps out of the
way for the purpose of avoiding service of a summons); you are hereby ordered to arrest
and bring the saidbefore the Court.

You are further ordered to return this warrant on or before theday
of.....20.... with an endorsement certifying the day on and the manner in
which it has been executed, or the reason why it has not been executed.

GIVEN under my HAND and the SEAL of the court this..... day
of..... 20

.....
REGISTRAR/MAGISTRATE

FORM NO. D/5

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE OF
AT.....
CIVIL CASE NO.....OF.....
.....PLAINTIFF(S)
VERSUS
.....DEFENDANT(s)

Order of Detention of a Witness
(O.XVI, r 18 of the Civil Procedure Code)

The Officer in charge of the Prison at.....

WHEREAS.....the
plaintiff (or defendant) in the above-named suit has made application to his Court that
security be taken for the appearance of.....
to give evidence (or to produce a document) on theday of and
whereas the Court has called upon the said..... to furnish
such security, which he has failed to do; this is to require you to receive the
said..... into your custody in the civil prison and
to produce him before this Court at.....on the said day and on such other day or days as
may be hereafter ordered.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this.....
day.....of.....

.....
REGISTRAR/MAGISTRATE

FORM NO. E/1

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE.....OF.....
AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

**Sample Judgment Outline In Original Suit
(O.XX, r. 4&5 of the Civil Procedure Code)**

Introduction

1. Preliminary Issues (who sues who for what)
2. Summary of Prosecution/Plaintiff's Case (what are the facts, as asserted by the plaintiff in support of the suit, constituting the cause of action)
3. Summary of Defence/Defendant's Case (what is the defendant's version as against the asserted facts in the plaintiff's case)
4. Issues to be determined (the issues in this suit are A, B, C.....)

Evidence and Factual Findings on the Issues

5. Prosecution/Plaintiff's Allegation on Issue A
 - Prosecution/Plaintiff's evidence in support of the allegation on Issue A (What are the Oral, documentary or real evidence in support of the existence of the asserted facts on Issue A)
 - Defence/Defendant's evidence on the allegation on Issue A (what are the Oral, documentary or real evidence disproving the existence of the asserted facts by the plaintiff on Issue A and or in support of the existence of facts asserted in the defendant's version against the plaintiff's story on Issue A)
 - The Judge's/Magistrate's evaluation of the evidence on Issue A (What are the credit and discredit ascribed with the Oral, documentary or real evidence the offered by the plaintiff and defendant in the proof or disprove of the existence or non-existence of a fact as the reasons for the factual finding on Issue A)
 - The Judge's/Magistrate's (what the court finds, as the fact, on issue A (factual finding on Issue A))
6. Prosecution/Plaintiff's Allegation on Issue B
 - Prosecution/Plaintiff's evidence in support of the allegation on Issue A (What are the Oral, documentary or real evidence in support of the existence of the asserted facts on Issue B)
 - Defence/Defendant's evidence on the allegation on Issue A (what are the Oral, documentary or real evidence disproving the existence of the asserted facts by the plaintiff on Issue B and or in support of the existence of facts asserted in the defendant's version against the plaintiff's story on Issue B)
 - The Judge's/Magistrate's evaluation of the evidence on Issue A (What are the credit and discredit ascribed with the Oral, documentary or real evidence the

offered by the plaintiff and defendant in the proof or disprove of the existence or non-existence of a fact as the reasons for the factual finding on Issue B)

- The Judge's/Magistrate's (what the court finds, as the fact, on issue B (factual finding on Issue B))

7. Prosecution/Plaintiff's Allegation on Issue C

- Prosecution/Plaintiff's evidence in support of the allegation on Issue A (What are the Oral, documentary or real evidence in support of the existence of the asserted facts on Issue C)
- Defence/Defendant's evidence on the allegation on Issue A (what are the Oral, documentary or real evidence disproving the existence of the asserted facts by the plaintiff on Issue A and or in support of the existence of facts asserted in the defendant's version against the plaintiff's story on Issue C)
-
- The Judge's/Magistrate's evaluation of the evidence on Issue A (What are the credit and discredit ascribed with the Oral, documentary or real evidence the offered by the plaintiff and defendant in the proof or disprove of the existence or non-existence of a fact as the reasons for the factual finding on Issue C)
- The Judge's/Magistrate's (what the court finds, as the fact, on issue C (factual finding on Issue C))

Law Applicable on the Issues

8. A Statement of the Law on Issue A (What does the law governing issue A state)
- Statutory Law (Is there any Statutory law governing issue A What does the law state)
 - Case Law (Is there any Case law governing issue A? What does the law state)
9. A Statement of the Law on Issue A (What does the law governing issue A state)
- Statutory Law (Is there any Statutory law governing issue A What does the law state)
 - Case Law (Is there any Case law governing issue B? What does the law state)
10. A Statement of the Law on Issue C (What does the law governing issue C state)
- Statutory Law (Is there any Statutory law governing issue C What does the law state)
 - Case Law (Is there any Case law governing issue C? What does the law state)

Deliberations and Conclusions on the Issues

11. Applying the Law to the factual findings on the Issues A
- The Judge's/Magistrate's logical view, on the factual findings on the Issue A, in the context of the statutory or Case Law applicable to the Issue A (reasons for the decision on Issue A)
 - The Judge's/Magistrate's Conclusion [Decision on Issue A]
12. Applying the Law to the factual findings on the Issues B
- The Judge's/Magistrate's logical view, on the factual findings on the Issue B, in the context of the statutory or Case Law applicable to the Issue B (reasons for the decision on Issue B)
 - The Judge's/Magistrate's Conclusion [Decision on Issue B]
13. Applying the Law to the factual findings on the Issues C

- The Judge's/Magistrate's logical view, on the factual findings on the Issue C, in the context of the statutory or Case Law applicable to the Issue C (reasons for the decision on Issue C)
- The Judge's/Magistrate's Conclusion [Decision on Issue C]

Decision and Orders

- The Judge's/Magistrate's logical view, on the factual findings and decisions on the Issues A,B and C, in the context of the statutory or Case Law applicable to the Case (reasons for the decision of the case)
- The Judge's/Magistrate's Conclusion [Decision of the case]

.....
Judge/Magistrate

Date.....

- Orders accompanying the Decision
- Right of appeal fully explained to the Parties.

.....
Judge/Magistrate

Date.....

Judgment delivered in the open Court this.....day of..... in the presence of the of the Defendant/his advocate and the Plaintiff/his Advocate.

.....
Judge/Magistrate

FORM NO. E/2

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Decree in Original Suit
(O.XX, r. 6&7 of the Civil Procedure Code)

Claim for:-

- 1)
- 2)
- 3)
- 4)
- 5)

This suit coming on this day for final disposal before Hon
..... in the presence of the *plaintiff/defendant
and.....for the plaintiff and
..... for the defendant;

It is hereby ordered and decreed that:

- 1)
- 2)
- 3)
- 4)
- 5)

GIVEN under my HAND and the SEAL of the court this.....day of..... 20.....

.....
Judge/Magistrate

**Delete whichever is not applicable*

FORM NO. F/1

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... COURT OF.....

AT.....

.....AT.....

CIVIL CASE NO:OF

..... PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

**Notice to Show Cause Why a Payment or Adjustment Should not be Recorded as
Certified**

(O.XXI, r. 2(2) of the Civil Procedure Code)

To:

.....

WHEREAS in execution of the decree in the above-named suit
has applied to this Court that the sum of T.shs..... recoverable under the
decree has been paid/adjusted and should be recorded as certified; This is to give you
notice that you are to appear before this Court on the..... day of
....., to show cause why the payment/adjustment aforesaid should
not be recorded as certified.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this.....day
of.....

.....

Registrar/Magistrate

FORM NO. F/2

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Order Sending Decree for Execution to another Court
(O. XXI, r. 5 of the Civil Procedure Code)

Whereas....., the decree-holder in the above suit, has applied to this Court for **a certificate** to be sent to the Court of..... atfor execution of the decree in the above suit by the said Court, alleging that the judgment-debtor *resides/has property within the local limits of the jurisdiction of the said Court, and it is deemed necessary and proper to send a certificate to the said Court under Order XXI rule , of the Code of Civil Procedure, 1966 it is Ordered:

That a copy of this order be sent to the *High Court/District/Resident Magistrates' court ofat..... with **a copy of the decree and of any order** which may have been made for execution of the same and **a certificate of non-satisfaction.**

GIVEN under my HAND and the SEAL of the court this.....day of..... 20.....

.....
Deputy Registrar/Registrar/Magistrate

Delete whichever is not applicable

FORM NO. F/3

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... COURT OF.....

AT.....

CIVIL CASE NO..... OF

..... PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

Certificate of Non-Satisfaction of Decree
(O. XXI, r. 5(b) of the Civil Procedure Code)

Certified that *no satisfaction of the decree in above suit of this Court, a copy of which is hereunto attached, has been obtained by execution within the jurisdiction of this Court or;

*the decree has been partially satisfied and the decree remains unexecuted to the extent of Tshs.

GIVEN under my HAND and the SEAL of the court this.....day of.....20.....

.....
Deputy Registrar/Registrar/Magistrate

**Delete whichever is not applicable*

FORM NO. F/4

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF.....
AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

*Certificate of Execution of Decree Transferred to Another Court
(O. XXI, r. 6 of the Civil Procedure Code)*

No of suit and the Court by which decree was passed	Name of parties	Date of application for execution	Number of the execution case	Costs of execution	Amount realized	How the case is disposed of	Remarks
1	2	3	4	5	6	7	8

.....
Registrar/Magistrate in charge
(Taxing Officer/Taxing Master)

FORM NO. F/5

**THE UNITED REPUBLIC OF TANZANIA
JUDICIARY**
IN THE..... COURT OF.....
AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Application for Execution of Decree
(O. XXI, r. 11 of the Civil Procedure Code)***

I,, the decree-holder, hereby apply for execution of the decree herein-below set forth :

No. of Suit	Name of parties	Date of Decree	Whether any appeal preferred from decree	Payment of adjustment made, if any	Previous application, if any, with date and result	Amount with interest due upon the decree or other relief granted thereby together with particular , of any cross decree	Amount of costs, if any, awarded	Against whom to be executed	Mode in which the assistance of the Court is required

	T.shs	Cts	T.shs	Cts
Principal				
Interest at %				
Less subsequent payment				
Less amount of cross decree if any				
Total or balance				

Civil Procedure Code (Approved Forms)

GN. No. 388 (contd...)

Costs as in the decree				
Costs subsequently incurred				
Total				

I pray that the total amount of T.shs.....[together with interest on the principal sum up to date of payment] and the cost of taking out this execution, be realized by attachment and sale of defendant's immovable /removable property specified at the foot of this application and paid to me.

I declare that what is stated herein is true to the best of my knowledge and belief.

Dated this day of

.....
Decree- holder

DESCRIPTION AND SPECIFICATION OF
PROPERTY:.....

.....
.....
.....

I declare that what is stated in the above description is true to the best of my knowledge and belief, and so far as I have been able to ascertain the interest of the defendant in the property therein specified.

Dated this.....day of..... 20....

.....
Decree-holder

FORM NO. F/6

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

*Notice To Show cause why execution should not issue
(O. XXI, r. 20(1) of the Civil Procedure Code)*

To.....

Whereas the *plaintiff/defendant has made application to this Court for execution of decree in the above suit on the allegation that the said decree has transferred to him by assignment or without assignment], this is to give you notice that you are to appear before this Court on the day of 20, to show cause why execution should not be granted.

GIVEN under my HAND and the SEAL of the court, this day of 20.....

.....
Registrar/Magistrate in charge

FORM NO. F/7

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF.....
AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Warrant of Attachment for Movable Property in Execution of a Decree for Money
(O. XXI, r. 28 of the Civil Procedure Code)***

To

Whereas the above named was ordered by
decree of this Court/ the..... court of..... at.....,
passed on the..... day of in Suit No..... of, to pay
to the..... the sum of Tshs..... as noted in the margin; and whereas the
said sum of Tshs has not been paid; These are to command you to attach the
movable property of the said as set forth in the schedule hereunto
annexed, or which shall be pointed out to you by the said, and unless the said
..... shall pay to you the said sum of Tsh.together with Tshs.
..... the cost of this attachment, to hold the same until further orders from this
Court. You are further commanded to return this warrant on or before the day
of, with an endorsement certifying the day on which and manner in which it
has been executed, or why it has not been executed.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of
.....,

.....
Registrar/Magistrate in charge

Civil Procedure Code (Approved Forms)

GN. No. 388 (contd...)

SCHEDULE

	Shs	Cts	Shs	Cts
Decree for				
Principal				
Interest at % p.a on				
From.....to.....				
Costs				
Total of decree and costs				
Further interest and costs less payments, if any, Made				
Balance due				
Costs of attachment				
Endorsement of execution of warrant				
	Total of attachment			

FORM NO. F/8

**THE UNITED REPUBLIC OF TANZANIA
JUDICIARY**

IN THE..... COURT OF

.....AT.....

CIVIL CASE NO:OF

..... PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

***Warrant for Seizure of Specific Movable Property Adjudged by Decree
(O. XXI, r. 29(1) of the Civil Procedure Code)***

To

Whereas was ordered by decree of this Court/the..... Court of.....at..... passed on theday of20..., in Suit No. of 20....., to deliver to the plaintiff the movable property (or a share in the movable property) specified in the schedule hereunto annexed, and whereas the said property (or share) has not been delivered. These are to command you to seize the said movable property (or a

Civil Procedure Code (Approved Forms)

GN. No. 388 (contd...)

..... share of the said movable property) and to deliver it to the plaintiff or to such person as he may appoint in this behalf.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of

.....
Registrar/Magistrate in charge

SCHEDULE

PROPERTY	DESCRIPTION

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE.....COURT OF.....
AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Notice to Show Cause Why Warrant of Arrest should not Issue
(O. XXI, r. 35(1) of the Civil Procedure Code)***

To

Whereashas made application to this Court for execution of decree in this case by arrest and imprisonment of your person:

You are hereby required to appear before this Court on the.....day
of.....20..... at..... O'clock in the forenoon/afternoon to
show cause why you should not be committed to the civil prison in execution of the said
decree.

GIVEN under my HAND and the SEAL of the court this..... day
of.....20.....

.....
Deputy Registrar/Registrar/Magistrate

FORM NO. F/11

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY

IN THE..... COURT OF.....

AT.....

CIVIL CASE NO.....OF

.....PLAINTIFF(S)

VERSUS

.....DEFENDANT(S)

Warrant of Arrest in Execution
(O. XXI, r. 35(2) of the Civil Procedure Code)

To

Whereas.....was adjudged by a decree of this Court in this case dated theday of20.....to pay to the decree-holder the sum of T.shs and *interest/costs of the case T.shs..... and whereas the said sum of T.shs..... has not been paid to the said decree-holder in satisfaction of the said decree:

THESE ARE TO COMMAND you to arrest the said judgment-debtor and unless the said judgment-debtor shall pay to you the said sum of T.shs..... together with T.shs..... for the cost of executing this process, to bring the said defendant before the Court with all convenient speed.

You are further commanded to return this warrant on or before the..... day of 20.....with an endorsement certifying the day on which and manner in which it has been executed, or the reason why it has not been executed.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of 20.....

.....
Deputy Registrar/Registrar/Magistrate

FORM NO. F/12

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Warrant of Committal of Judgment-Debtor to Prison
(O. 21, r. 39(5) of the Civil Procedure Code)

To The Officer in charge of the prison at.....

Whereas who has been brought before this Court thisday of under a warrant in execution of a decree which was made and pronounced by the said Court on the day of and by which decree it was ordered that the said should pay

And whereas the said has not obeyed the decree nor satisfied the Court that he is entitled to be discharged from custody;

You are hereby commanded and required to take and receive the said into the civil prison and keep him imprisoned therein for a period not exceeding or until the said decree shall be fully satisfied, or the said shall be otherwise entitled to be released according to terms and conditions as the court shall deem fit;

And the Court does hereby fix Tshs.....per diem as the rate of the monthly allowance for the subsistence of the said during his confinement under this warrant of committal.

GIVEN under my HAND and the SEAL of the court this day of 20

.....
Deputy Registrar/Registrar/Magistrate

FORM NO. F/13

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

*Order for the Release of a Person Imprisoned in Execution of a Decree
(Sections 46(1) of the Civil Procedure Code)*

To The Superintendent of Prison,
.....

Under orders passed this day, you are hereby directed to set
free..... (judgment-debtor) now in your custody.

GIVEN under my HAND and the SEAL of the court this day of
.....20

.....
Deputy Registrar/Registrar/Magistrate

FORM NO. F/14

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
AT.....

CIVIL CASE NO.....OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Prohibitory Order
(O.XXI, rr.44 (4), 45(1), 46, 53(1) of the Civil Procedure Code)

To.....
.....

Whereas you failed to satisfy a decree passed againston the day
of, in Civil case No.....of..... 20.... in favour of the above
named plaintiff for Tshs..... and costs.

It is ordered that the said be and is
hereby, prohibited and restrained until further order of this Court from transferring or
charging the property specified in the schedule hereunto annexed by sale, gift or
otherwise in any other form of disposition, and that any other persons be and are hereby
prohibited from receiving the same by purchase, gift or otherwise.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this.....day
of.....20.....

.....
Deputy Registrar/Registrar/Magistrate

SCHEDULE

.....
.....
.....
.....

FORM NO. F/15

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

*Order to Attach Salary of Public Officer or Servant of Railway Company or Local
Authority
(O. XXI, r. 47(1) of the Civil Procedure Code)*

To.....
.....

WHEREAS judgment-debtor in the above-named case, is a
(describe post held by judgment-debtor).....
receiving his *salary/allowances at your hands;

And whereas, decree-holder in the said case has applied in this
Court for the attachment of the *salary/allowances) of the said to the
extent of Tsh..... due to him under the decree;

You are hereby required to withhold the said sum of
Tshs..... from the salary of the
said..... in monthly
instalments of Tshs..... and to remit
the said *sum/monthly instalments to this Court.

GIVEN under my HAND and the SEAL of the court, this day of
..... 20.....

.....
Deputy Registrar/Registrar/Magistrate

**Delete whichever is not applicable*

FORM NO. F/16

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

**Notice of Attachment of A Decree to The Court Which Passed it
(O. XXI, r. 52 of the Civil Procedure Code)**

To:

.....

I have the honour to inform you that the decree obtained in your Court on the
..... day of by in Suit No..... of
....., in which he was and was has been
attached by this Court on the application of thein the suit
specified above. You are therefore requested to stay the execution of the decree of your
Court until you receive an intimation from this Court that the present notice has been
cancelled or until execution of the said decree is applied for by the holder of the decree
now sought to be
executed or by his judgment-debtor.

Dated this.....day of.....

.....
Registrar/Magistrate in charge

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Notice of The Day Fixed for Setting a Sale Proclamation
(O. XXI, r. 66 of the Civil Procedure Code)

To
.....

Whereas in the above-named suit, the decree-holder, has applied for the sale of you are hereby informed that the day of, has been affixed for setting the terms of the proclamation of sale.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of

.....
Registrar/Magistrate in charge

FORM NO. F/18

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

*Notice of Attachment of a Decree to the Holder of The Decree
(O. XXI, r. 53 of the Civil Procedure Code)*

To
.....

Whereas an application has been made in this Court by the decree-holder in the above suit for the attachment of a decree obtained by you on the day of, in the Court of in Suit No..... of in which was.....and..... was..... It is ordered that you, the said, be, and you are hereby, prohibited and restrained, until the further order of this Court, from transferring or charging the same in any way.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, thisday of

.....
Registrar/Magistrate in charge

FORM NO. F/19

THE UNITED REPUBLIC OF TANZANIA
IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Warrant of Sale of Property in Execution of a Decree for Money
(O. XXI, r. 66&67 of the Civil Procedure Code)***

To
.....

This is to command you to sell by auction, after giving days' prior notice, by affixing the same in this Court-house, serving it to the judgement debtor and after making due proclamation, the property attached under a warrant from this Court, dated theday of20 in execution of a decree in favor of in Suit No..... of, or so much of the said property as shall realize the sum of Tshs., being the of the said decree and costs still remaining unsatisfied. You are further commanded to return this warrant on or before the..... day of20.....with an endorsement certifying the manner in which it has been executed, or the reason why it has not been executed.

GIVEN under my HAND and the SEAL of the court day of
..... 20.....

.....
Registrar/Magistrate

FORM NO. F/20

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF.....
AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Proclamation of Sale (Immovable Property)
(O. XXI, r. 66 of the Civil Procedure Code)

Suit No..... of, decided by the of in which(**the Judgment-Creditor/Debtor**) was plaintiff and(**the Judgment-Creditor/Debtor**) was defendant. Notice is hereby given that, under rule 64 of Order XXI of the Code of Civil Procedure, 1966, an order has been passed by this Court for the sale of the attached property mentioned in the annexed schedule, in satisfaction of the claim of the decree-holder in the suit mentioned in the margin, amounting with costs and interest up to date of sale to the sum of T.shs.....

The sale will be by public auction, and the property will be put up for sale in the lots specified in the schedule.

The sale will be of the property of the judgment-debtor above-named as mentioned in the schedule below; and the liabilities and claims attaching to the said property, so far as they have been ascertained, are those specified in the schedule against each lot.

In the absence of any order of postponement, the sale will be held by commencing at o'clock on theday ofat

In the event, however, of the debt above specified and of the costs of the sale being tendered or paid before the knocking down of any lot, the sale will be stopped.

At the sale the public generally are invited to bid, either personally or by duly authorized agent. No bid by, or on behalf of, the judgment-creditors above-mentioned, however, will be accepted, nor will any sale to them be valid without the express permission of the Court previously given.

FURTHER CONDITIONS OF SALE:

1. The particulars specified in the schedule below have been stated to the best of the information of the Court, but the Court will not be answerable for any error, mis-statement or omission in this proclamation.
2. The amount by which the biddings are to be increased shall be determined by the officer conducting the sale. In the event of any dispute arising as to the amount bid, or as to the bidder, the lot shall at once be again put up to auction.
3. The highest bidder shall be declared to be the purchaser of any lot, provided always that he is legally qualified to bid, and provided that it shall be in the discretion of the

- Court or officer holding the sale to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it advisable to do so.
4. For reasons recorded, it shall be in the discretion of the officer conducting the sale to adjourn it subject always to the provisions of rule 69 of Order XXI.
 5. In the case of movable property, the price of each lot shall be paid at the time of sale or as soon after as the officer holding the sale directs, and in default of payment the property shall forthwith be again put up and re-sold.
 6. In the case of immovable property, the person declared to be the purchaser shall pay immediately after such declaration a deposit of 25 per cent. on the amount of his purchase-money to the officer conducting the sale, and in default of such deposit the property and forthwith be put up again and re-sold.
 7. The full amount of the purchase-money shall be paid by the purchaser before the Court closes on the fifteenth day after the sale of the property, exclusive of such day, or if the fifteenth day be a Sunday or other holiday, then on the first office day after the fifteenth day.
 8. In default of payment of the balance of purchase-money within the period allowed, the property shall be re-sold after the issue of a fresh notification of sale. The deposit, after defraying the expenses of the sale, may, if the Court thinks fit, be forfeited to Government and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may be subsequently sold.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day
of20.....

.....
Registrar/Magistrate in charge

SCHEDULE OF PROPERTY

Number of lot	Description of property to be sold, with the name of each owner where there are more judgment-debtors than one	Detail of any encumbrances to which the property is liable	Claims, if any, which have been put forward to the property and any other known particular bearing on its nature and value
			Land rent: Site Rate: Revenue derived from the property: Estimated value of the property:

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Proclamation Of Sale (Movable Property)

(O. XXI, r. 66 of the Civil Procedure Code)

Suit No..... of, decided by the of
..... in which (**the Judgment-Creditor/Debtor**) was plaintiff and(**the Judgment-Creditor/Debtor**) was defendant. Notice is hereby given that, under rule 64 of Order XXI of the Code of Civil Procedure, 1966, an order has been passed by this Court for the sale of the attached property mentioned in the annexed schedule, in satisfaction of the claim of the decree-holder in the suit mentioned in the margin, amounting with costs and interest up to date of sale to the sum of T.shs.....

The sale will be by public auction, and the property will be put up for sale in the lots specified in the schedule.

The sale will be of the property of the judgment-debtor above-named as mentioned in the schedule below; and the liabilities and claims attaching to the said property, so far as they have been ascertained, are those specified in the schedule against each lot.

In the absence of any order of postponement, the sale will be held by commencing ato'clock on theday of at

In the event, however, of the debt above specified and of the costs of the sale being tendered or paid before the knocking down of any lot, the sale will be stopped.

At the sale the public generally are invited to bid, either personally or by duly authorized agent. No bid by, or on behalf of, the judgment-creditors above-mentioned, however, will be accepted, nor will any sale to them be valid without the express permission of the Court previously given.

FURTHER CONDITIONS OF SALE:

1. The particulars specified in the schedule below have been stated to the best of the information of the Court, but the Court will not be answerable for any error, mis-statement or omission in this proclamation.
2. The amount by which the biddings are to be increased shall be determined by the officer conducting the sale. In the event of any dispute arising as to the amount bid, or as to the bidder, the lot shall at once be again put up to auction.

3. The highest bidder shall be declared to be the purchaser of any lot, provided always that he is legally qualified to bid, and provided that it shall be in the discretion of the Court or officer holding the sale to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it advisable to do so.
4. For reasons recorded, it shall be in the discretion of the officer conducting the sale to adjourn it subject always to the provisions of rule 69 of Order XXI.
5. In the case of movable property, the price of each lot shall be paid at the time of sale or as soon after as the officer holding the sale directs, and in default of payment the property shall forthwith be again put up and re-sold.
6. In the case of immovable property, the person declared to be the purchaser shall pay immediately after such declaration a deposit of 25 per cent. on the amount of his purchase-money to the officer conducting the sale, and in default of such deposit the property and forthwith be put up again and re-sold.
7. The full amount of the purchase-money shall be paid by the purchaser before the Court closes on the fifteenth day after the sale of the property, exclusive of such day, or if the fifteenth day be a Sunday or other holiday, then on the first office day after the fifteenth day.
8. In default of payment of the balance of purchase-money within the period allowed, the property shall be re-sold after the issue of a fresh notification of sale. The deposit, after defraying the expenses of the sale, may, if the Court thinks fit, be forfeited to Government and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may be subsequently sold.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day
..... 20.....

.....
Judge/Magistrate in charge

SCHEDULE OF PROPERTY

Number of lot	Description of property to be sold, with the name of each owner where there are more judgment-debtors than one

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Order on the Court Broker for Causing Service of Proclamation of Sale (Movable Property)

(O. XXI, r. 66 of the Civil Procedure Code)

To

COURT BROKER

Whereas an order has been made for the sale of the property of the judgment-debtor specified in the schedule hereunder annexed, and whereas the day of, has been fixed for the sale of the said property,..... copies of the proclamation of sale are by this warrant made over to you, and you are hereby ordered to have the proclamation published by beat of drum within each of the properties specified in the said schedule, to affix a copy of the said proclamation on a conspicuous part of each of the said properties and afterwards on the Court-house, and then to submit to this Court a report showing the dates on which and the manner in which the proclamations have been published.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of

.....
Registrar/Magistrate in charge

SCHEDULE OF PROPERTY

Number of lot	Description of property to be sold, with the name of each owner where there are more judgment-debtors than one

FORM NO. F/23

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Order on the Court Broker for Causing Service of Proclamation of Sale (Immovable Property)
(O. XXI, r. 66 of the Civil Procedure Code)

To

COURT BROKER

Whereas an order has been made for the sale of the property of the judgment-debtor specified in the schedule hereunder annexed, and whereas theday of, has been fixed for the sale of the said property,..... copies of the proclamation of sale are by this warrant made over to you, and you are hereby ordered to have the proclamation published by beat of drum within each of the properties specified in the said schedule, to affix a copy of the said proclamation on a conspicuous part of each of the said properties and afterwards on the Court-house, and then to submit to this Court a report showing the dates on which and the manner in which the proclamations have been published.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of20.....

.....
Registrar/Magistrate in charge

SCHEDULE OF PROPERTY

Number of lot	Description of property to be sold, with the name of each owner where there are more judgment-debtors than one	Detail of any encumbrances to which the property is liable	Claims, if any, which have been put forward to the property and any other known particular bearing on its nature and value
			Land rent: Site Rate: Revenue derived from the property: Estimated value of the property:

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

*Certificate By Officer Holding A Sale Of The Deficiency Of Price On A Re-Sale Of
Property
By Reason Of The Purchaser's Default
(O. XXI, r. 69)*

Certified that at the re-sale of the property in execution of the decree in the above-named suit, in consequence of default on the part of. purchase, there was a deficiency in the price of the said property amounting to T.shs....., and that the expenses attending such re-sale amounted to T.shs....., making a total of T.shs, which sum is recoverable from the defaulter.
Dated the day of

.....
OFFICER HOLDING THE SALE

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Notice To Person In Possession Of Movable Property Sold In Execution
(O. XXI, r. 77(2) of the Civil Procedure Code)***

To.....

WHEREAS has become the purchaser at a public sale in execution of the decree in the above suit of now in your possession, you are hereby prohibited from delivering possession of the said to any person except the said

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of20.....

.....
Judge/Magistrate in charge

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Prohibitory Order Against Payment Of Debts Sold In Execution To Any Other Than
The Purchaser
(O. XXI, r 77(3) of the Civil Procedure Code)***

To.....and
to.....

Whereas..... has become the purchaser at a public sale in execution of the
decree in the above suit of being debts due from you
.....to you, It is ordered that yoube, and you are
hereby, prohibited from receiving, and youfrom making payment of,
the said debt to any person or person except the said

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of
..... 20.....

.....
Judge/Magistrate in charge

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

*Prohibitory Order Against the Transfer of Share Sold in Execution
(O. XXI, r. 77(3) of the Civil Procedure Code)*

Toand, Secretary of
..... Corporation.

WHEREAS has become the purchaser at a public sale in execution of the decree, in the above suit, of certain shares in the above Corporation, that is to say, of standing in the name of youIt is ordered that you be, and you are hereby, prohibited from making any transfer of the said shares to any person except the said the purchaser aforesaid, or from receiving any dividends thereon; and you Secretary of the said Corporation, from permitting any such transfer or making any such payment to any person except the said, the purchaser aforesaid.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day
of

.....
Registrar/Magistrate in charge

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Certificate to Judgment-Debtor Authorising Him to Mortgage Lease or Sell Property
(O. XXI, r 81(2) of the Civil Procedure Code)***

Whereas in execution of the decree passed in the above suit an order was made on the day of for the sale of the under-mentioned property of the judgment-debtor , and whereas the Court has, on the application of the said judgment-debtor, postponed the said sale to enable him to raise the amount of the decree by mortgage, lease or private sale of the said property or of some part thereof: This is to certify that the Court doth hereby authorize the said judgment-debtor to make the proposed mortgage, lease or sale within a period of from the date of this certificate; provided that all monies payable under such mortgage, lease or sale be paid into this Court and not to the said judgment-debtor. Description of property

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of 20..... .

.....
Registrar/Magistrate in charge

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Notice to Show Cause Why Sale Should not be Set Aside
(O. Xxi, R. 88(1) & 89 of the Civil Procedure Code)

To.....
Whereas the under-mentioned property was sold on the day
in execution of the decree passed in the above named suit, and whereas, the
decree-holder [or judgment-debtor], has applied to this Court to set aside the sale of the
said property on the ground of a material irregularity [or fraud] in publishing [or
conducting] the sale, namely, that.....

Take notice that if you have any cause to show why the said application should not be
granted, you should appear with your proofs in this Court on the day of
....., when the said application will be heard and determined.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of
.....20Description of property

.....
Registrar/Magistrate in charge

FORM NO. F/30

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Notice to Show Cause Why Sale Should not be Set Aside
(O. XXI, 89 of the Civil Procedure Code)

To.....

Whereas, the purchaser of the under-mentioned property sold on
..... the day of, in execution of the decree passed in the
above-named suit, has applied to this Court to set aside the sale of the said property on
the ground that, the judgment-debtor, had no saleable interest therein.

Take notice that if you have any cause, to show why the said application should not be
granted, you should appear with your proofs in this Court on the day of
..... 20, when the said application will be heard and determined.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day
of

.....
Registrar/Magistrate in charge
DESCRIPTION OF PROPERTY

.....

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Certificate of Sale of Land
(O. XXI, r 92 of the Civil Procedure Code)

This is to certify that has been declared the purchaser at a sale by public auction on the day of 20, of in execution of decree in this suit, and that the said sale has been duly confirmed by this Court.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of

.....
Registrar/Magistrate in charge

FORM NO. F/32

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Order for Delivery to Certified Purchaser of Land at a Sale in Execution
(O. XXI, r. 93 of the Civil Procedure Code)

To.....

Whereas has become the certified purchaser of
..... at a sale in execution of decree in Suit No..... of,
You are hereby ordered to put the said the certified purchaser,
as aforesaid, in possession of the same.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this
day of

.....
Registrar/Magistrate in charge

FORM NO. F/33

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF.....
AT.....
CIVIL CASE NO.....OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

**Summons to Appear and Answer Charge of Obstructing Execution of Decree
(O. XXI r. 95(2) of the Civil Procedure Code)**

To.....

Whereas, the *decree-
holder/purchaser of property sold in execution of a decree in this case, has complained to
this Court that you have resisted/obstructed the officer charged with the execution of the
warrant for possession:

You are hereby summoned to appear in this Court on the day of
20, at O'clock in the forenoon/afternoon to answer the said
complaint.

GIVEN under my HAND and the SEAL of the court, this day of
20.....

.....
Deputy Registrar/Registrar/Magistrate

**Delete whichever is not applicable*

FORM NO. F/34

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF.....
AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Warrant of Committal
(O. XXI, r. 96 of the Civil Procedure Code)

To the Superintendent of prison,

.....

Whereas the under-mentioned property has been decreed to belong to....., the *plaintiff/purchaser in this suit, and whereas the Court is satisfied that without any just cause resisted [or obstructed] and is still resisting [or obstructing] the said in obtaining possession of the property, and whereas the said has made application to this Court that he saidbe committed to the civil prison:

You are hereby commanded and required to take and receive the said into the civil prison and to keep him imprisoned therein for the period of days.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of 20.....

.....
Deputy Registrar/Registrar/Magistrate

**Delete whichever is not applicable*

FORM NO. F/35

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Warrant of Arrest before Judgment
(O. XXXVI, r. 1 of the Civil Procedure Code)

The Bailiff of the Court

Whereas, the plaintiff in the above suit, claims the sum of T.shs as noted in the margin, and has proved to the satisfaction of the Court that there is probable cause for believing that the defendant is about toThese are to command you to demand and receive from the said the sum of T.shs.as sufficient to satisfy the plaintiff's claim, and unless the said sum of T.shs. is forthwith delivered to you by or on behalf of the said to take the said into custody, and to bring him before this Court in order that he may show cause why he should not furnish security to the amount of T.shs for his personal appearance before the Court, until such time as the said suit shall be fully and finally disposed of, and until satisfaction of any decree that may be passed against him in the suit.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of

.....
Registrar/Magistrate in charge

FORM NO. F/36

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

*Security For Appearance Of A Defendant
Arrested Before Judgment
(O. XXXVI r. 3(2) of the Civil Procedure Code)*

Whereas at the instance of , the plaintiff in the above suit, the defendant, has been arrested and brought before the Court; And whereas on the failure of the said defendant to show cause why he should not furnish security for his appearance, the Court has ordered him to furnish such security:

Therefore I have voluntarily become surety and do hereby bind myself, my heirs and executors, to the said Court, that the said defendant shall appear at any time when called upon while the suit is pending and until satisfaction of any decree that may be passed against him in the said suit; and in default of such appearance I bind myself, my heirs and executors, to pay to the said Court, at its order, any sum of money that may be adjudged against the said defendant in the said suit.

Witness my hand at this day of
20.....

.....
Surety

Witnesses:

1.
2.
3.

FORM NO. F/37

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Summons to Defendant to Appear on Surety's Application for Discharge
(O. XXXVI, r 4 of the Civil Procedure Code)***

To.....

Whereas, who became surety on the day of
..... for your appearance in the above suit, has applied to this Court to
be discharged from this obligation:

You are hereby summoned to appear in this Court in person on the day of
..... at a.m., where the said application will be heard
and determined.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this
day of

.....
Registrar/Magistrate in charge

FORM NO. F/38

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Order For Committal
(O. XXXVI, r. 5 of the Civil Procedure Code)

To

Whereas, plaintiff in this suit, has made application to the Court that security be taken for the appearance of, the defendant, to answer any judgment that may be passed against him in the suit; and whereas the Court has called upon the defendant to furnish such security, or to offer a sufficient deposit in lieu of security, which he had failed to do; it is ordered that the said defendant be committed to the civil prison until the decision of the suit; or, if judgment be pronounced against him, until satisfaction of the decree.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, thisday
of

.....
Registrar/Magistrate in charge

FORM NO. F/39

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....

CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

*Attachment Before Judgment, With Order to Call for Security for Fulfillment of
Decree
(O. XXXVI, r. 5 of the Civil Procedure Code)*

To
.....

Whereas has proved to the satisfaction of the Court that the defendant in the above suit These are to command you to call upon the said defendant on or before theday of either to furnish security for the sum of T.shs to produce and place at the disposal of this Court when required for the value thereof, or such portion of the value as may be sufficient to satisfy any decree that may be passed against him; or to appear and show cause why he should not furnish security; and you are further ordered to attach the said and keep the same under safe and secure custody until the further order of the Court; and you are further commanded to return this warrant on or before the day of, with an endorsement certifying the date on which and the manner in which it has been executed, or the reason why it has not been executed.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of
.....

.....
Registrar/Magistrate in charge

FORM NO. F/40

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Security for the Production of Property
(O. XXXVI r. 3(2) of the Civil Procedure Code)

To

.....
Whereas at the instance of, the plaintiff in the above suit,
..... the defendant has been directed by the Court to furnish security in the
sum of T.shs to produce and place at the disposal of the Court the
property specified in the schedule hereunto annexed;

Therefore I have voluntarily become surety and do hereby bind
myself, my heirs and executors, to the said Court, that the said defendant shall produce
and place at the disposal of the court, when required, the property specified in the said
schedule, or the value of the same, or such portion thereof as may be sufficient to satisfy
the decree; and in default of his so doing I bind myself, my heirs and executors, to pay to
the said Court, at its order; the said sum of T.shs of such sum not
exceeding the said sum as the said Court may adjudge.

Witness my hand at this day of

.....
Surety

Witnesses.

1.
2.

SCHEDULE

.....
.....
.....
.....
.....
.....
.....

FORM NO. F/41

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Attachment before Judgment, On Proof Of Failure To Furnish Security
(O. XXXVI r. 7(1) of the Civil Procedure Code)***

To

.....

Whereas , the plaintiff in this suit, has applied to the Court to call upon the defendant, to furnish security to fulfill any decree that may be passed against him in the suit, and whereas the Court has called upon the said to furnish such security, which he has failed to do; these are to command you to attach , the property of the said , and keep the same under safe and secure custody until the further order of the Court, and you are further commanded to return this warrant on or before the day of with an endorsement certifying the date on which and the manner in which it has been executed, or the reason why it has not been executed.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of

.....
Registrar/Magistrate in charge

FORM NO. F/ 42

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Temporary Injunctions
(O. XXXVII, r. 1 of the Civil Procedure Code)

To

.....

Upon made unto this Court by,
and upon reading of the saidin
this matter filed on the day of and upon hearing the
evidence of and in support thereof [if after notice and
.....: and, also, the evidence of as
to service of notice of this motion upon the This Court
doth order that an injunction be awarded to restrain the....., his
servants, agents and workmen, from

Dated this day of.....

.....
Registrar/Magistrate in charge

FORM NO. F/ 43

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

Appointment Of A Receiver
(O. XXXVIII r. 1(1)(a) of the Civil Procedure Code)

To.....
.....

Whereas has been attached in execution of a decree passed in the above suit on theday of, in favour of, You are hereby (subject to your giving security to the satisfaction of the Court) appointed receiver of the said property under Order **XXXVIII** of the Code of Civil Procedure, 1966 with full powers under the provisions of that Order. You are required to render a due and proper account of your receipts and disbursements in respect of the said property onYou will be entitled to remuneration at the rate of per cent. upon your receipts under the authority of this appointment.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, this day of

.....
Registrar/Magistrate in charge

FORM NO. F/44

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE..... COURT OF
.....AT.....
CIVIL CASE NO:OF
..... PLAINTIFF(S)
VERSUS
.....DEFENDANT(S)

***Bond to be Given by Receiver
(O. XXXVIII r,3 of the Civil Procedure Code)***

Know all men by these presents, that we, and and, are jointly and severally bound toof the Court of in T.shs to be paid to be saidor his successor in office for the time being. For which payment to be made we bind ourselves, and each of us, in the whole, our and each of our heirs, executors and administrators, jointly and severally, by these presents. Dated this day of, Whereas a plaint has been filed in this Court by Against for the purpose of [here insert the object of suit]: And whereas the said has been appointed, by order of the above-mentioned Court, to receive the rents and profits of the immovable property and to get in the outstanding movable property ofin the said plaint named..... Now the condition of this obligation is such, that if the above-bounden shall duly account for all and every the sum and sums of money which he shall so receive on account of the rents and profits of the immovable property, and in respect of the movable property, of the said at such periods as the said Court shall appoint, and shall duly pay the balances which shall from time to time be certified to be due from him as the said Court hath directed or shall hereafter direct, then this obligation shall be void otherwise it shall remain in full force.

Signed and delivered by the above-bounden in the presence of Note.—If deposit of money is made, the memorandum thereof should follow the terms and the condition of the bond.

FORM NO. F/45

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE.....COURT OF.....

AT.....
CIVIL CASE NO.....
.....PLAINTIFF/DECREE
HOLDER
Versus
.....DEFENDANT/J. DEBTOR

Garnishee Order Absolute

To:.....
.....
.....

WHEREAS the above named judgement debtor has been ordered by the decree of this court dated on.....to pay to the above named Decree Holder the sum of.....

Whereas the said sum of Tshs.....is held by you by order of this court dated theday of 20.....

NOW THEREFORE IT IS HEREBY ORDERED THAT:

You the said.....**do absolutely** pay the said amount of Tshs.....*in this court/into account No..... special deposit BOT account immediately and upon transfer and deposit of the said amount plus Tshs. 5,000/= as court commission forthwith, you will be discharged from the liabilities imposed upon the Judgment debtor by this court.

GIVEN under my HAND and the SEAL of the court this.....day of.....20.....

.....
Deputy Registrar/Registrar/Magistrate

FORM NO. F/46

THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE DISTRICT COURT OF.....DISTRICT
AT.....
CIVIL CASE NO.....OF.....,

.....PLAINTIFF

VERSUS

.....DEFENDANT

*Notice To Settle Terms of Sale
(0.21,R.66 of the Civil Procedure Code)*

To:.....
.....
.....

WHEREAS.....

Has/have applied for the sale of your property attached under an order of this court dated the.....day of.....you are hereby informed that the.....day of.....at.....O'clock in the.....noon has been fixed for setting the terms of the proclamation of sale.

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT

this.....day of.....,

.....
RESIDENT MAGISTRATE

Dar es Salaam,
30th August, 2017

IBRAHIM H. JUMA,
Ag. Chief Justice