IN THE DISTRICT MAGISTRATE COURT OF TEMEKE
AT TEMEKE
MATRIMONIAL CAUSE NO 55 OF 2008
HOCHMIN MUGARURA……..PETITIONER
VERSUS
DIANNA DICK MWAMBINGU……RESPONDENT

REPLY TO THE RESPONDENT'S WRITTEN STATEMENT OF DEFENCE

The plaintiff replies to the respondent's written statement of defence filed to this court on the 22nd day of July, 2008 and states as follows:-

1. That the contents of Paragraph 1 of the respondent's written statement of defence are admitted save only that the address of service for the purpose of this petition is in care of:-

   Masaka & Co Advocates,
   ATC House,3rd Floor,
   Garden/Ohio Streets,
   P.O.BOX 76784,
   Dar Es Salaam.

2. That the contents of Paragraaph 2 of the respondent's written statement of defence are vehemently denied on the ground that the petitioner is not the source of matrimonial misunderstanding, and that on the contrary the respondent herein is the source and part thereof.
3. That the respondent deserted the matrimonial home and run to Uganda leaving a 2 years infant baby girl under the custody of the petitioner in the pretext of studies therein Uganda.
4. That furthermore the respondent's is not bothering to take care of that infant for about 2 years unjustifiably and for the reason best known to herself.
5. That the petitioner states further that the respondent is having an affair with another man in Uganda as per documentary proof of the fax dated 09/07/07 of an e-mail from her lover herein annexed hereto as annexture "A" which leave of this court is craved to refer to it as part of this reply thereof.

6. That the contents of Para 4of the respondent written statement of defence are denied and the petitioner reiterates the averments of Paragraph 7 of the petition thereof.
7. That what has been stated herein above in Paragraph 1, 2,3,4,5 and 6 are true to the best of my own knowledge.

Dated at Dar es Salaam, This ..... day of ....., 2008

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PETITIONER

Presented for filling, This ..... day of .....,2008

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COURT CLERK

COPY TO BE SERVED UPON:

Andrew Nehemiah Mwakajinga & Co Advocates,
NIC Building Life house,
3rd floor, room no 23B ,
Sokoine drive/Ohio street
Po box 79631,
Dar Es Salaam.

DRAWN AND FILLED BY:

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P.O BOX 76784,
Dar Es Salaam