

**IN THE
PUBLIC PROCUREMENT APPEALS AUTHORITY AT DAR ES SALAAM**

APPEAL CASE NO. 45 OF 2018-19

BETWEEN

**M/S TOURVEST HOLDING (PTY)
LIMITED.....APPELLANT**

AND

TANZANIA AIRPORTS AUTHORITY.....RESPONDENT

ORDER

CORAM

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| 1. Hon. Justice (Rtd), Sauda Mjasiri | - Chairperson |
| 2. Dr. Leonada Mwangike | - Member |
| 3. CPA. Fredrick Rumanyika | - Member |
| 4. Ms. Florida Mapunda | -Ag. Secretary. |

SECRETARIAT

- | | |
|---------------------------|-----------------|
| 1. Mr. Hamisi O. Tika | - Legal Officer |
| 2. Ms. Violet S. Limilabo | - Legal Officer |

FOR THE APPELLANT

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|------------------------|------------------------------|
| 1. Mr. Abdon Rwegasira | -Advocate, Law Care Chambers |
| 2. Ms. Deepika Gorecha | - General Manager |

FOR THE RESPONDENT

- | | |
|----------------------------|-----------------------|
| 1. Mr. Joachim E. Maambo | -Ag. Legal Secretary |
| 2. Mr. Nitunga S. Gabriel | - Procurement Officer |
| 3. Mr. Josephat M. Msafiri | -Procurement Officer |

This Appeal was scheduled for hearing on 4th July 2019. The parties were duly notified to that effect. When it was called for hearing Mr. Abdon Rwegasira, the learned counsel for the Appellant informed Members of the Appeals Authority that he has been instructed to withdraw the Appeal, making reference to Rule 16(4) of the Public Procurement Appeals Rules GN No. 411 of 2014. The learned counsel for the Respondent did not object the prayer and did not press for costs.

The Members of the Appeals Authority drew his attention to Rule 16(2) and (6) of the same Rule 16 read together with the Second Schedule to the Rules on the requirement of payment of withdrawal fees, to wit; one Million shillings (1,000,000.00). The learned counsel informed the Members of the Appeals Authority that he was aware of the said provisions and was ready to pay the said penalty. He was duly provided with PPAA bank particulars and effected the payment through CRDB, Holland House Branch and submitted a deposit slip dated 4th July 2019, Transaction No. 0000331904071911511326692.

Upon being satisfied, the Appeals Authority hereby grants the withdrawal request and mark the Appeal withdrawn.

It is so ordered. Each party to bear its own costs.

Three handwritten signatures in blue ink are present at the bottom of the page. The first signature is a stylized 'J' or 'M', the second is a simple 'M', and the third is a stylized 'F'.

Order is delivered this 5th July 2019.



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**JUSTICE (rtd) SAUDA MJASIRI
CHAIRMAN**

MEMBERS:

1. DR. LEONADA MWAGIKE.....

2. CPA. FREDRICK RUMANYIKA.....