



# SAFARI AFRICA

ARBITRATION & LEGAL

TIN: 101-929-442

12 DEC 2023

VRN: 40 - 030216 - H

REF NO: SAAL/CAT/APP/178/16/21

11<sup>th</sup> December, 2023

The Court of Appeal of Tanzania  
P.O. Box 9004,  
Dar es Salaam

**RE: BANK GUARANTEE FOR CIVIL APPLICATION NO.178/16 OF 2021 BETWEEN  
ECOBANK TANZANIA LIMITED VERSUS DOUBLE A CO. LIMITED & 3 OTHERS**

Reference is made to the above captioned.

That, pursuant to the order of this Court dated 29<sup>th</sup> day of September, 2022. The Applicant had complied with the said order by issuing Bank Guarantee via the letter dated 28<sup>th</sup> October, 2022.

By this letter, we inform the Court that the said Bank Guarantee expired and the Applicant is issuing a renewed Bank Guarantee as security for due performance in respect of the abovementioned Application.

*"Bank Guarantee from EXIM BANK enclosed herein for purposes of record"*

Sincerely,

Safari Africa Arbitration & Legal

  
Inviolata Wangoma-Advocate

CC:

1. Raphael Dismas-Advocate,  
Dirm Attorneys,  
Tevi Commercial Park, 2<sup>nd</sup> Floor,  
Mbezi Beach Tangi Bovu  
P.O Box 35880,  
Dar es Salaam

2. Client





# EXIM BANK

*Innovation is life*

## BANK GUARANTEE

EXIM BANK (TANZANIA) LIMITED,  
Corporate Office, Exim Tower 1404/45,  
Ghana Avenue (off Ohio St), Dar-es-Salaam,  
P.O. BOX 1431, Dar-es-Salaam,  
Tanzania.

TO: The Registrar

Court of Appeal of Tanzania

P.O Box 9004

Dar es Salaam

Tanzania

BANK GUARANTEE NUMBER	0001-GFC23000043	DATED	28 <sup>TH</sup> OCTOBER, 2023
AMOUNT OF GUARANTEE	TZS. 17,744,176.12 AND USD. 168,250.52		
APPLICANT	ECOBANK TANZANIA LIMITED		
VALID	28 <sup>TH</sup> OCTOBER 2023- 27 <sup>TH</sup> OCTOBER 2024		

Whereas Ecobank Tanzania Limited of registered office at Acacia Building, Kinondoni Road Plot No.84, Dar es Salaam, Tanzania (hereinafter called "the Applicant"), has undertaken , Security for an order of Execution arising from the case of ECOBANK TANZANIA LIMITED VERSUS DOUBLE A CO. LIMITED 3 OTHERS, A.A. TRANS LIMITED, AKBER BASHIR VERSI AND ASGHER BASHIR VERSI (hereinafter called the ruling) to furnish order of the court for stay of execution decree dated 29<sup>th</sup> September 2022 of the High court of Tanzania Commercial Division Taxation Cause No 33 of 2019 and whereas it required that a Bank guarantee by a recognized Tanzania Bank for the decretal sum of TZS 17,744,176.12 and USD 168.250.52 to be deposited into court pending determination of the suit by the Applicant against the ruling.

We EXIM BANK (TANZANIA) LTD of P.O. BOX 1431, DAR-ES-SALAAM, TANZANIA having our registered office at Corporate Office, Exim Tower 1404/05, Ghana Avenue (off Ohio St), Dar-es-Salaam hereby affirm that we are the guarantors and responsible to you on behalf of the applicant up to a total of TZS 17,744,176.12 (Say Tanzanian Shillings Seventeen Million Seven Hundred Forty-Four Thousand One

0001-GFC23000043

Hundred Seventy-Six Twelve Cents Only) and USD 168,250.52 (Say United States Dollars One Hundred Sixty-Eight Thousand Two Hundred Fifty and Fifty-Two Cents Only) and we undertake to pay you upon receipt of your first written demand declaring that the court has issued a lawful order requiring Ecobank Tanzania Limited to pay the specified amount to the High Court of Tanzania provided that the amount claimed does not exceed the aforementioned amount.

Our aggregate Liability will not exceed TZS 17,744,176.12 (Say Tanzanian Shillings Seventeen Million Seven Hundred Forty-Four Thousand One Hundred Seventy-Six Twelve Cents Only) and USD 168,250.52 (Say United States Dollars One Hundred Sixty-Eight Thousand Two Hundred Fifty and Fifty-Two Cents Only) any claim hereunder shall be made by you to us in writing no later than 60 days from the date of judgement. Such Claim must be delivered to our counters on or before 0300pm by the said date.

This Guarantee is subject to the laws of United Republic of Tanzania and Expires 27<sup>th</sup> October 2024 whereupon the Bank's Liability shall be null and void. Any claims should be received by us by that date.

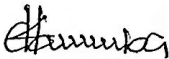
In case of Guarantee termination or Demand claim, the original Guarantee must be attached to the Claim or termination letter to us for cancellation.

This guarantee is subject to the Uniform Rules for Demand Guarantee (ICC Publication No 758)

DATED AT DAR ES SALAAM THIS 28<sup>TH</sup> DAY OF OCTOBER 2023

SIGNED BY THE AUTHORISED SIGNATORIES OF

EXIM BANK (TANZANIA) LIMITED



.....  
DOLOROSA KOMBA  
MANAGER – TRADE FINANCE



.....  
KHILNA MAMLANI  
HEAD – TRADE & FIs