**Sefu v Hamza**

**Division:** Court of Appeal at Arusha

**Date of judgment:** 1 April 1974

**Case Number:** 55/1973 (61/74)

**Before:** Sir William Duffus P, Law Ag V-P and Musoke JA

**Sourced by:** LawAfrica

**Appeal from:** High Court of Tanzania – Patel, Ag. J

*[1] Customary Law – Succession – Zigua custom of fyagio – Whether child can abandon rights.*

**Editor’s Summary**

The appellant was sued by the respondent in the primary court for a share in cattle belonging to their deceased mother under a Zigua custom of fyagio. The case was dismissed on the ground that the respondent had abandoned his rights. The first appellate court reversed this finding.

On appeal to the Court of Appeal.

**Held –** the trial court had reached a proper finding.

Appeal allowed.

**Case referred to Judgment:**

(1) *Shah v. Aguto*, [1970] E.A. 263.