

**IN THE HIGH COURT OF TANZANIA
(MTWARA DISTRICT REGISTRY)**

AT MTWARA

CIVIL CASE NO. 4 OF 2021

MWASHA INVESTMENT (SHAIBU MUSSA ROMBOLA..PLAINTIFF

VERSUS

NANYAMBA TOWN COUNCIL.....1ST DEFENDANT

ATTORNEY GENERAL.....2ND DEFENDANT

JUDGMENT (DEED OF SETTLEMENT)

8th December, 2021

DYANSOBERA, J.:

The plaintiff herein has sued the two defendants viz., Nanyamba Town Council (1st defendant) and Hon. the Attorney General (2nd defendant) claiming the following reliefs:-

- i. Declaration that the defendants breached the contract
- ii. Payment of Tshs. 199230/= as specific damages
- iii. Payment of general damages to the tune of Tshs. 15,000,000/=,
- iv. Payment of Tshs. 15% interest on the decretal sum from the date of the decree

While the suit was at the stage of the First Pre-Trial Settlement and Scheduling Conference, the parties have decided to resolve the dispute amicably on the terms detailed in the filed DEED OF SETTLEMENT which they pray to be adopted by this court as the decree of the court.

The Deed of Settlement which the parties have agreed and which I adopt as part of the judgment of this court is as follows:-

1. That the 1st Defendant has agreed and has already paid the Plaintiff the total of Tshs 5,000,000 (five million) which includes principal owed amount and fair compensation for the breach of contract.
2. That the plaintiff agreed and received from the 1st Defendant the total of Tsh 5,000,000 (five million) which includes principal owed amount and fair compensation for the breach of contract, by signing this deed of settlement the plaintiff acknowledge to receive the said amount.
3. The plaintiff abandons further costs and interests after the judgment.
4. This deed forms final settlement of the disputes between the parties and the parties herein humbly pray that the now pending case be marked closed.
5. That this settlement shall constitute the Ruling of the Honourable Court and the parties hereby agree that Court may record it as such.
6. That each party shall bear its own costs.

The terms and conditions of this Deed of Settlement are hereby recorded as the decree of this court.



It is so ordered.


W. P. Dyansobera

Judge

8.12.2021

Delivered at Mtwara this 8th day of November, 2021 in the presence of the plaintiff and Ms Getruda C. Songoi, learned State Attorney for the defendants.




W. P. Dyansobera

Judge