

**IN THE HIGH COURT OF TANZANIA
(DAR ES SALAAM DISTRICT REGISTRY)**

AT DAR ES SALAAM

**CIVIL APPEAL NO.: 139 OF 2004
(Original Morogoro RMS Court, Civil Case No.5 of 2000)**

SIEMENS TANZANIA LTD.....APPELLANT

VERSUS

JUMANNEE KADASO.....RESPONDENT

JUDGMENT

DEED OF SETTLEMENT AND COMPROMISE OF A SUIT MANENTO,

JK:

Jumanne Kadaso had been employed by the appellants in a capacity of a turn boy. He was involved into an accident which led to amputation of his left leg. Besides the payments under the Workman Compensation procedures, the respondent sued the appellant for damages arising out of the negligence of the appellant. He was awarded a total of shs. 10,000,000/= with costs. The appellant was aggrieved by that decision. He appealed to this court. However, before the hearing of the appeal, the parties agreed to settle out of court, but to have the deed of settlement adopted by this court and be the decree of the court.

The deed of settlement which the parties have agreed I adopt with judgment of this court is as follows:

- 1) That the defendant shall pay to the plaintiffs the total sum of Tshs 7,000,000/= as full and final settlement of this suit and of all claims arising directly or indirectly out of this case.
- 2) That the sum shall be paid within 14 days of recording this settlement

subject to the default clause.

- 3) Each party shall bear his own cost
- 4) The terms including the amount of payment of this settlement shall remain in confidence and shall not be disclosed to any third party.
- 5) That the terms of this settlement shall be without prejudice and without admission of liability on part of the Appellant.

The terms of this settlement stated above are hereby recorded as the order/decreed of this court. It is accordingly ordered.

A.R. Manento

JAJI KIONGOZI

Order: The ruling shall be read on 26/10/2005 Parties to be

A.R. Manento

JAJI KIONGOZI

18/10/2005