

**IN THE HIGH COURT OF TANZANIA
(LAND DIVISION)
AT DAR ES SALAAM- MEDIATION CENTRE**

LAND CASE NO. 368 OF 2017

LENASIA WILLIAM..... PLAINTIFF

VERSUS

**EFC TANZANIA MICROFINANCE BANK LIMITED.....1ST DEFENDANT
TANZANIA QUALITY AUCTION MART.....2ND DEFENDANT
GEORGE WILLIAM NASSORO.....3RD DEFENDANT**

CONSENT SETTLEMENT ORDER

The parties having consented to settle this case through mediation, now agree as follows:

1. That the 3rd Defendant has paid Tanzanian Shillings three million (Tzs 3,000,000/=) to the 1st Defendant.
2. That the 3rd Defendant does herein acknowledge being indebted to the 1st Defendant to the tune of Tanzanian Shillings Seventy Two million (Tzs 72,000,000/=).
3. That the 3rd Defendant shall pay Tanzanian Shillings Twenty Seven million (Tzs 27,000,000/=) to the 1st defendant on or by 9th June, 2021.
4. That the 3rd Defendant shall pay Tanzanian Shillings forty five million (Tzs 45,000,000/=) to the 1st defendant within the period of seven (7) months, commencing 9th June 2021 to 9th January 2022.
5. That the said amount shall be paid at the respective account maintained by the 3rd Defendant held at the 1st Defendant.
6. That in the event the 3rd Defendant defaults to pay the amount agreed as stated in paragraphs 3 and 4 herein above, the mortgaged property in the name of **LUCY WILLIAM** (the late) located on Plot No. 09 Block "32A" at Kinondoni area within

Dar es Salaam, shall be disposed of and the 1st Defendant shall only take the unpaid debt by the 3rd defendant, however such sale shall be made upon an order of this court on execution bearing in mind that there are 5 heirs of this property as seen in annexure LW1 of the plaint which is **FORM 1** issued by Magomeni Primary Court in Mirathi Namba 433/2009 and it forms part of this Consent Settlement Order.

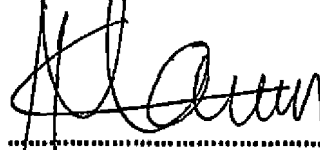
7. That the 1st Defendant, 3rd Defendant and the Plaintiff shall not remove, sell, alienate, dispose, assign, transfer or create any charge on or any part of mortgaged property with **Title No. 49393, Plot No. 09** Block "32A" located at Kinondoni in the name of **LUCY WILLIAM**, until the 9th January 2022.
8. That the 3rd Defendant having paid his debt in full, the 1st Defendant shall, within fourteen (14) days release and hand over the Certificate of Title **No. 49393, Plot No. 09 Block "32A"** located at Kinondoni in the name of **LUCY WILLIAM**, to the 3rd Defendant in the presence of the Plaintiff.
9. That the Plaintiff shall fully relinquish and abandon all the claims stated in the plaint against the 1st, 2nd and 3rd Defendants.
10. That the parties shall strictly abide to the terms and conditions of this Consent Settlement Order.
11. That each party shall bear its own costs.

LENASIA WILLIAM NASSORO



.....
Signature (Plaintiff)
Address P.O.BOX 75996
TABATA CHANG'OMBE
DAR ES SALAAM
Mob: 0713 25 1059
Date: 11/3/2021

NANCY KISSANGA (PRINCIPAL OFFICER)
EFC TANZANIA MICROFINANCE BANK (LTD)



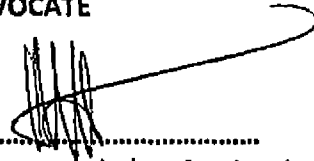
.....
Signature (1st Defendant)
MWANGA HAKIKA MICROFINANCE BANK (LTD)
SKY TOWER, PLOT NO. 1 850, BLOCK 45 A
KIJITONYAMA:
Address P.O.Box 11735
DAR ES SALAM
Mob: 0766352682/0677066604
Date: 11/3/2021

**KASANDA MITUNGO
ADVOCATE**



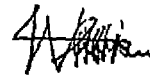
Signature (Plaintiff's advocate)
BENCHABE LAW CHAMBERS
MWANANYAMALA-MISISI A STREET
Address P.O.Box 75687
DAR ES SALAAM
Mob: +255712786051
Date: 11/3/2021

**CLEOPHACE JAMES.
ADVOCATE**



Signature (1st Defendant's Advocate)
Address P. O. Box 80333
DAR ES SALAAM.
Mob: 0787007073
Date: 11/3/2021

GEORGE WILLIAM NASSORO



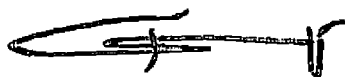
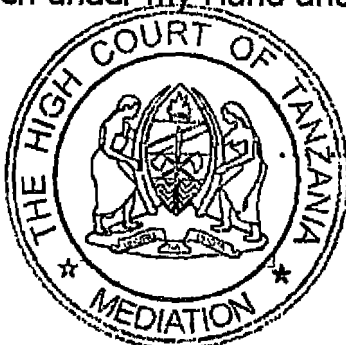
Signature (3rd Defendant)
P. O. Box 90363
KINONDONI-DAR ES SALAAM
Mob: 0754262902/0657222210
Date: 11/3/2020

**HAMISI MUSA KIJAZI
ADVOCATE**



Signature (3rd Defendant Advocate)
P. O. Box 90363
KINONDONI-DAR ES SALAAM
PACIFIC LAW CHAMBER ADVOCATE
MWANAMBOKA PLAZA, 1ST FLOOR
MWINYI JUMA STREET, KINONDONI
Address P.O.Box 34371
DAR ES SALAAM
Mob: +255713626363
Date: 11/3/2021

Given under my Hand and the Seal of the Court this 11th day of March, 2021



**J. S. MGETTA
JUDGE/MEDIATOR**