

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
IN THE DISTRICT REGISTRY OF ARUSHA
AT ARUSHA
LAND CASE NO. 26 OF 2019**

AMINA SIOI MATEWE (*Suing as administrator of the Estate*

***Of the late NDEKINGIO MATAYO NKO*).....PLAINTIFF**

VERSUS

SEVERUA SIMON KAAYA.....1ST DEFENDANT

WALTER STEPHEN MCHARO.....2ND DEFENDANT

~~HARADALI DEVELOPMENT COMPANY LIMITED.....3RD DEFENDANT~~

CONSENT JUDGMENT

21/05/2021 & 21/05/2021

GWAE, J

This consent judgment is emanating from a mutually acceptable settlement by the parties during mediation of this case before Hon. Mediator Gwae, J. Initially, the plaintiff above brought this suit against the defendants herein for the following reliefs;

- i. A declaration that the suit land belongs to the deceased.
- ii. Declaration that the sale agreement between the 1st and 3rd defendants is null and void.

- iii. The 2nd and 3rd defendants to be evicted from the suit land.
- iv. Any other relief that this court may deem fit and just to grant.

The plaintiff in this case was under the legal aid from the Tanzania Women Lawyers Association (TAWLA), while the defendants were represented by the learned counsel, **Mr. Makia**.

During mediation, the parties after thorough negotiations arrived at a settlement on the terms and conditions which were set as final settlement of all plaintiff's claims against the defendants. The deed of settlement was adopted by this court forming part of the court's proceedings. Pursuant to the deed of settlement I hereby make the following orders;


- i. That, the plaintiff's suit is mediated.
- ii. That, the defendants shall pay a total of **Tshs. 4,000,000/=** to the plaintiff, Amina Matewe who is suing in the capacity of an administrator of the estate of the late Ndekingio Matayo as a final settlement of the parties' dispute.
- iii. That, the amount of money as per item 2 above is payable not later than 15/07/2021.
- iv. That, the agreed sum and orders herein form part of the court's proceedings and decree capable of being enforced.
- v. Each party shall bear his / her own costs.

- vi. Plaintiff's suit is hereby marked as settled pursuant to the above orders (i-v)

In the event, this suit is marked as settled.

It is so ordered




M. R. GWAE
JUDGE
21/05/2021