

THE UNITED REPUBLIC OF TANZANIA

JUDICIARY

IN THE HIGH COURT OF TANZANIA

(DISTRICT REGISTRY OF MTWARA)

AT MTWARA

DC. CIVIL APPEAL NO 13 OF 2021

*(Originating from District Court of Masasi at Masasi in Civil Case No.4 of
2021)*

SWALEHE RASHID.....APPELLANT

VERSUS

AMIRI TWALIBU NGWELE..... RESPONDENT

RULING


Muruke, J.

Swalehe Rashid being aggrieved by the decision of Masasi District Court in Civil Case No. 4 of 202, preferred present appeal, raising two grounds, articulated in the Memorandum of Appeal, in which they argued orally. court, then, set Judgment on 8th September 2022. Before pronouncing Judgment, this court asked parties if they can settle the dispute as they are neighbors. It was then followed by appellant, informing the court that he is ready to pay one million to the respondent by 31st December 2022, to settle the decretal amount.

Respondent, welcomed the idea, thus agreed to receive the amount of one million by 31st December 2022, in the presence of his brother Said Twalib Ngwele. Finally court ordered the appellant to pay respondent one million Tshs by 31st December 2022, in the presence of Said Twalib Ngwele and Kaisi Mtila, as witnesses.


By this settlement, Dc. Civil appeal no 13/2021 is marked settled. Decree in Civil Case no 4/2021 of Masasi District Court is thus varied as above. Upon failure by appellant to pay as agreed, respondent to execute agreed amount as decree of this court.




Z. G. Muruke
Judge
08/09/2022

Ruling delivered in the presence of appellant and Respondent both in persons.




Z. G. Muruke
Judge
08/09/2022