

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
(DAR ES SALAAM SUB-REGISTRY)**

AT DAR ES SALAAM

CIVIL CASE NO. 146 OF 2022

WIDMEL K. MUSHI.....PLAINTIFF

VERSUS

OUT-GROWERS TANZANIA LIMITED..... DEFENDANT

JUDGMENT

(DEED OF SETTLEMENT)

5th April & 11th June, 2024

DYANSOBERA, J.:

The plaintiff herein instituted the suit against the defendant claiming for payment of USD 43, 000 being a contractual amount arising from a Deed of Settlement dated 13th May, 2017, TZS 200, 000, 000 being special damages arising from breach of contract, an interest at commercial rate on both contractual amount and special damages from the date the cause of action arose to the date of judgment, interest at court's rate on the decretal sum from the date of judgment to the date of full payment, general damages as may be assessed by the court, costs of the suit and any other reliefs as the court may deem fit to grant.

Before the Final Pre-Trial Settlement and Scheduling Conference took off, parties engaged in negotiations with a view of reaching an amicable and out of court settlement of this dispute between them.

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Now, the parties have reached an amicable settlement and have filed this Deed of Settlement in 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 defendant shall pay to the plaintiff the claimed sum of the United States Dollars Forty-Three Thousand (USD 43, 000) only in sixty days from the date of signing this Deed of Settlement.
2. That the plaintiff has waived and vacated from all other claims and prayers on the plaint and accepted payment of USD 43, 000 only to be the final and conclusive term of settlement of this case and that he will not have any other claim(s) against the defendant whatsoever in relation to their previous corporate or any given contractual relationship between them.
3. That, both parties agree that this Deed of Settlement shall be final and certified as settlement order for this case subject to the terms thereof.

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


W. P. Dyansobera

Judge

11.6.2024



Delivered at Dar es Salaam this 11th day of June, 2024 in the presence of the plaintiff and Ms Monalisa Mushobozi, learned Counsel for the plaintiff and in the presence of Mr. Projectus Rwehumbiza, Principal Officer of the defendant.



W. P. Dyansobera

Judge

