

IN THE HIGH COURT OF TANZANIA

(DAR ES SALAAM SUB-REGISTRY)

AT DAR ES SALAAM

CIVIL CASE NO. 6169 OF 2024

THE HON. ATTORNEY GENERAL1ST PLAINTIFF

BOARD OF TRUSTEES OF THE

NATIONAL SOCIAL SECURITY FUND2ND PLAINTIFF

VERSUS

BETWIN LIMITEDDEFENDANT

CONSENT JUDGEMENT

24th & 24th June 2024

MWANGA. J,

This is a consent judgment. It arose from a settlement deed entered and agreed upon between the parties in this suit signed on 13th June 2024. The settlement resulted from a suit filed by the Plaintiff seeking that this Court enter judgment and decree against the Defendants as follows;

1. That the defendant be ordered to pay the sum of TZS 21 799,150/= (Say Tanzania shillings Twenty-one million seven

hundred ninety-nine one hundred and fifty only) being the unremitted member's statutory contributions and accumulated penalties thereon due payable to the first Plaintiff by the defendant as per paragraph 9.0 of the plaint.

On 24th June 2024, the counsels representing parties in this suit informed the court that they had settled the whole dispute amicably, an act which was followed by filing the Deed of Settlement on the date above. When both counsels appeared in court on the above-mentioned date, they pleaded for such a Deed of settlement to be reduced into the consent judgment and to form part of the decree of this court.

Considering the terms and conditions outlined in the Deed of settlement in article I from paragraphs 1.1 to 2.2, the defendant agreed to pay the outstanding statutory contributions plus penalties to TZS 21,799,150/= (Say Tanzania shillings Twenty-one million seven hundred ninety-nine one hundred and fifty only) as per agreed terms in six months. These terms are itemized in Article II of the Deed of Settlement, providing a comprehensive understanding of the financial obligations. The payment schedule follows: the defendant shall pay Tshs 3,150,000/= each month

from 30th June 2024 to 30th October 2024. The last installment, Tshs. 6,049,150/= shall be paid on 30th November, 2024.

The preceding is hereby entered accordingly to form part of this consent judgment and decree. It has been emphasized in the case of **Motor Vessel Sepideh and Another Versus Yusuph Mohamed Yusuph and Two Others**, Civil Application No. 237 of 2013 (Unreported) that where there is a lawful agreement or compromise, the court is bound to record the settlement once the parties reach it.

In light of the above preceding, this suit is marked settled to the extent of the Deed of settlement reached by the parties per the terms and conditions.

Order accordingly.



H. R. MWANGA

JUDGE

24/06/2024