

**IN THE HIGH COURT OF TANZANIA
(COMMERCIAL DIVISION)
AT DAR ES SALAAM
MISC. COMMERCIAL CAUSE NO. 21 OF 2022**

**IN THE MATTER OF COMPANIES ACT
AND
IN THE MATTER OF VOLUNTARY WINDING UP OF
BACKLITE MEDIA LIMITED
BY
MOREKAZI CONSTRUCTION COMPANY LTD..... PETITION
VERSUS
BACKLITE MEDIA LIMITEDRESPONDENT**

Last order: 14th July, 2022
Judgment: 18th July, 2022

CONSENT JUDGEMENT

NANGELA, J.

This petition was preferred by the Petitioner under section 281 of the Companies Act, Cap.212 R.E 2002. The grounds for it were disclosed in **Form No. 281a** filed in this Court on the 1st of July 2022. The Petitioner enjoyed the services of Mr Rabin Mafuru Muyenjwa, learned advocate while Ms Prisca Chongero and Emmanuel Ngwabi, learned advocates appeared for the Respondent.

The Respondent had filed a notice of preliminary objection but before the hearing of the preliminary objections raised by the Respondent, the parties embarked on settlement negotiations which successfully ended up with the filing of a Deed of Settlement on the 14th day of July 2022.

Subsequently, on the 14th day of July 2022, the parties appeared before this Court and informed the Court about the Deed of Settlement which they had executed and filed in this Court. Besides, given the progress made by the parties, the Respondent prayed to abandon the notice of preliminary objections and Mr Rabin urged this Court to record the Parties' Deed of Settlement as forming the Judgment and Decree of the Court.

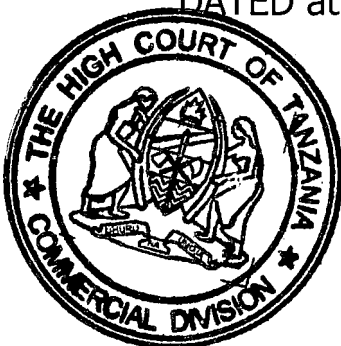
I have examined the Parties' Deed of Settlement filed in this Court on 14th of July 2022. I am satisfied that the same meets the requirements of an enforceable Deed. Consequently, the parties have, by their Deed of Settlement, wholly adjusted this petition.

With that in mind, this Court hereby proceeds and records the Deed of Settlement and settles for the following orders:

1. That, the Notice of Preliminary Objection filed in this Court is hereby marked abandoned at the instance of the Respondent.
2. The current petition is marked "Settled at the Consent of the Parties on the basis of terms contained in their duly signed Deed of Settlement, which shall constitute the Decree/Order of this Court".

It is so ordered.

DATED at **DAR-ES-SALAAM**, this **18th JULY 2022**




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HON. DEO JOHN NANGELA
JUDGE