

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA**

**(LAND DIVISION)**

**AT DAR ES SALAAM**

**LAND CASE NO. 80 OF 2018**

**ALPHA PRODUCTS LIMITED ..... PLAINTIFF**

**VERSUS**

**HENKEL POLYMER LTD ..... DEFENDANT**

**JUDGMENT**

**S.M. MAGHIMBI, J:**


The plaintiff in this suit has sued the defendant herein for judgment and decree as follows:

1. An order for defendant to pay Outstanding rent amount of USD 85,400 equivalent to Tanzania Shillings 194,712,000/=
2. An order for defendant to pay Tanzania shillings 129,000,000/=
3. An order for defendant to pay Tanzania Shillings 10,800,000/= being outstanding water bills unpaid by defendant.
4. An order for defendant to pay Tanzania Shillings 867,800.65/= being unpaid electricity bills from 2016 to the day of vacating the premises
5. An order for defendant to pay Tanzania Shillings 6,000,000/= being costs for repair of the premises
6. An order for Defendant to pay general damages to the Plaintiff as assessed by Hon. Court
7. An order for the Defendant to pay interest on the rent and water bills at commercial rate of 10% per annum

amount to be economic factors that have impinged adversely on the viability of the business. They demanded to be allowed to settle the debt and then they disappeared in court hence this matter proceeded ex-parte. Owing to the EXP4 and the fact that the defendant constructively acknowledged the claim on para 2 of his WSD, I am satisfied that the plaintiff has successfully proved her case to the required standard. This suit is therefore allowed and the following orders are passed:

1. The defendant to pay the outstanding rent amount of USD 85,400 equivalent to Tanzania Shillings 194,712,000/=
2. The defendant to pay Tanzania shillings 129,000,000/=
3. The defendant to pay Tanzania Shillings 10,800,000/= being outstanding water bills unpaid by defendant.
4. The defendant to pay Tanzania Shillings 867,800.65/= being unpaid electricity bills from 2016 to the day of vacating the premises
5. The defendant to pay Tanzania Shillings 6,000,000/= being costs for repair of the premises.
6. The amount in 1-5 above shall be with an interest on the rent and water bills at commercial rate of 10% per annum
7. The defendant to pay interest of the decretal sum at the rate of 5% per annum.
8. The defendant to pay the costs of this.

Dated at Dar es Salaam this 11<sup>th</sup> day of December, 2020

  
.....  
**S.M MAGHIMBI**  
**JUDGE**