

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

AT DAR ES SALAAM

CIVIL CASE NO. 25789 OF 2023

IBRAHIM SELEMANI KIMOLO PLAINTIFF

VERSUS

MALIKI SAYUNI MLONGELA 1ST DEFENDANT

LODHIA STEEL INDUSTRIES LTD 2ND DEFENDANT

CONSENT JUDGEMENT

8th & 8th April, 2024

MWANGA, J.

This is a consent judgment. It arose from a deed of settlement and consent settlement order entered and agreed upon between the parties in this suit on 27th March, 2024. Notably, the Court Mediation Center issued a consent settlement order based on the settlement agreement signed in court. The settlement resulted from a suit filed by the Plaintiff seeking the following orders: -

1. That this Court enter judgment and decree against the Defendants.

2. An order for payment of specific compensation to the tune of Tanzania shillings 362,983,884/=
3. An order for payment of general damage as may be passed by this Court.
4. Interest on judgment debt at the rate of 12% per annum costs
5. Any other orders and relief (s) this Honourable Court deems just and fit to grant.

On 27th March, 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 Consent Settlement Order in court on 27th March 2024.

When both counsels appeared in court on the above-mentioned date, they pleaded for such consent settlement order 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 consent settlement order in paragraph (e), the second defendant agreed to pay the settlement amount in two installments. The first installment of Tshs. 10,000,000/= before signing the deed and the second installment of Tshs. 5,000,000/= on or before 3rd April, 2024. On the date of their appearance,

the counsels asked this court to record that, the whole settlement amount has been paid in full. Therefore, the same 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 settlement once it is arrived by the parties.

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

Order accordingly.



H. R. MWANGA

JUDGE

27/03/2024