

TANZANIA / JUDGMENT

morekazi construction company ltd vs backlite media ltd 2022 tzhccomd 185 18 july 2022

COURT
TZHCCOMDDECIDED
18 July 2022

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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 X VERSUS BACKLITE MEDIA LIMITED..... y/RESPONDENT Last order: 14th July, 2022 X' / ' Judgment: 18th July, 2022 ,, - " CONSENT JUDGEMENT ""x 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 •■"s X July 2022. The Petitioner enjoyed the services of Mr Rabin Mafuru Muyenjwa, learned advocate while Ms Prisca Chongero and Emmanuel /1 > i ' Ngvtfabi, 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. Page 1 of 2 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 fil'eel 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. DAR-ES-SALAAM, this 18th JULY 2022 HON. DEO JOHN NANGELA JUDGE Page 2 of 2

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Prepared on 13 October 2026 · Esheria