



**Meru South Farmers Cooperative Union Ltd v Mwiandi (Civil Appeal
4 of 2015) [2023] KEHC 2731 (KLR) (24 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 2731 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT CHUKA
CIVIL APPEAL 4 OF 2015
LW GITARI, J
MARCH 24, 2023**

BETWEEN

MERU SOUTH FARMERS COOPERATIVE UNION LTD APPLICANT

AND

ONESMUS NJAGI MWIANDI RESPONDENT

RULING

1. I have considered the application dated March 14, 2023 which was filed under a certificate of urgency. I did certify the application as urgent and ordered that it be served. I have noted that the counsel for the applicant has filed an affidavit of service showing that the respondent was duly served. The respondent has not appeared nor have they filed replying affidavit to oppose the application.
2. In the circumstances I find that the application is not opposed. The order sought to be set aside is not serving any purpose as this appeal is not pending as it was withdrawn on November 1, 2018.
3. The applicant is at liberty to enjoy the right to his property without any unnecessary hindrance. For these reasons I allow the application.

I order that:

1. The orders of inhibition issued on land parcel No Magumoni/Mukuuni/439 on February 18, 2020 is hereby lifted.
2. I make no orders as to costs.

DATED, SIGNED AND DELIVERED AT CHUKA THIS 24TH DAY OF MARCH 2023.

L.W. GITARI

JUDGE

24/3/2023



Court:

This file be now closed.

L.W. GITARI

JUDGE

24/3/2023

