

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

HIGH COURT CIVIL APPEAL NO. 21 OF 2019

FN.....1ST APPELLANT

VERSUS

PKM.....RESPONDENT

RULING

Application dated 18.7.2019 seeks for orders to stay proceedings in Nkubu ELC No. 25 of 2019 which subject matter is LR Nkuene/Taita/xxx and xxx which the applicant /plaintiff herein has been sued by her former husband seeking that she be evicted whereas she has also filed the matrimonial cause herein no. 21 of 2019 seeking that the court determines whether she contributed to the acquisition of the 2 properties and if so what is her equitable share over the said properties.

The parties herein got married on 22.12.1990 at MCK Kigane. The properties in question were acquired and registered in the name of PKM on 21.9.1992 for LR 935 and 5.7.1991 for LRxxx respectively during the subsistence of the marriage between the parties herein and will be necessary that any transactions involving the 2 properties is staled pending the hearing and determination of the cause herein and it will be necessary that any transactions involving the 2 properties is stalled pending the hearing and determination of the cause herein.

Application dated 18th July 2019 is therefore allowed. Costs of the application to be in the cause.

HON A. ONG'INJO

JUDGE

RULING DELIVERED, DATED AND SIGNED IN COURT ON 12TH DAY OF MARCH 2020.

In the presence of :

C/A: Kinoti :-

Mr Kiome Advocate for Respondent – N/A

Mr Kiogora Arithi Advocate for Applicant – N/A

Court

Notice of Ruling to be issued by DR.

HON A. ONG'INJO

JUDGE