

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

MISC. CIVIL APPLICATION NO. 183 OF 2018

IMITIAZ YUSSUF JAMAL.....APPLICANT

VERSUS

1. MOHAMED AHMED MALIK

2. MUZNA ABDULKADER AHMED.....RESPONDENTS

J U D G M E N T

1. The mediation agreement signed by both parties on 11/11/2018 and certified by the mediator on 5/12/2018 is adopted as an order and judgment of the court.

2. On it, judgment is entered for the plaintiff against the dependant for vacant possession together with Kshs.575,000/= as follows:-

a) The defendant shall pay to the plaintiff:

Kshs.400,000/= on or before 04/01/2019.

b) Balance of Kshs.175,000/= by monthly instalments of Kshs.50,000/= w.e.f. from the 5th of February 2019 and then on each 5th of each subsequent month till payment in full save for the last instalment of Kshs.25,000/=.

3. In default of payment of any one instalment on the due date execution shall issue.

4. The plaintiff shall vacate and handover the suit premises by the 4/01/2019.

5. Each party shall bear own costs.

Dated and delivered at Mombasa on this 19th day of December 2018.

P.J.O. OTIENO

JUDGE