



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

E & L CASE NO. 51 Of 2012

ISABELLA KIENDE1ST PLAINTIFF

CHRISTINE NKATHA.....2ND PLAINTIFF

JAMES BUNDI3RD PLAINTIFF

JUDITH KINYA.....4TH PLAINTIFF

VERSUS

FRANCIS MWITI KIUGU1ST DEFENDANT

CONSOLATA KATHURE MURUNGI.....2ND DEFENDANT

J U D G M E N T

In their plaint, the Plaintiffs seek Judgment against the defendant for:-

a) A declaration that the defendant holds parcel No. NYAKI/MULATHANKARI/2708 in trust for the plaintiffs and they should be registered jointly thereto.

b) Costs of the suit .

On 28/04/2016, the parties proffered a Consent which they asked the Court to adopt as its order. The Consent is in the following terms :

“ Kindly record the following Consent.

“ By Consent:

1. THAT Plot No. MERU MADARAKA ESTATE BLOCK 11/75 be subdivided into 2 equal parts to form 2 plots of 22 X 80 each or thereabout , one part which is undeveloped to be registered in the names of ISABELLA KIENDE MWITI , JAMES BUNDI MWITI, JUDITH KINYA MWITI and JANE KARUKI MWITI and the other part which is developed and has rental premises to be registered in the names of FRANCIS MWITI KIUGU and CHRISTINE NKATHA MWITI.

2. THAT this suit be marked as settled with no order as to costs.

3. ***THAT*** this order be served upon the Meru County Government Committee Member for land, ICT and planning for strict compliance.

The Consent is duly signed by the Advocates representing the parties. The Consent is adopted as an order of this Court. This suit is marked as settled and parties may not come back to Court to re-litigate this matter.

It is so ordered.

DELIVERED IN OPEN COURT AT MERU THIS 28TH DAY OF APRIL, 2016 IN THE PRESENCE OF: -

CC: Lilian

Muia Mwanzia for the Plaintiffs

Ken Muriuki for the Defendants

P.M. NJOROGE

JUDGE