

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

ORIGINATING SUMMONS NO. 72 OF 2004

FRANCIS MAGWANTHI IBUA.....PLAINTIFF

VERSUS

CYPRIAN KIGORWE.....DEFENDANT

R U L I N G

[1] This application is dated 14th day of July, 2016 and seeks orders:-

(1) THAT suits No. 105 of 2014 and 72 of 2004 (OS) be consolidated for hearing and final disposal.

(2) THAT the costs of this application be provided for.

[2] It is supported by the affidavit of SOLOMON GATUNGA and has the following grounds:-

(a) The two suits revolve around and are common to the same property.

(b) That the issues to be determined are common and similar in both cases.

(c) That consolidation will save the time of the court and costs to the parties.

[3] On 20/07/2016, the parties agreed to have the application allowed. It is allowed with no order as to costs.

[4] It is so ordered.

DELIVERED IN OPEN COURT AT MERU THIS 20TH DAY OF JULY, 2016 IN THE PRESENCE OF:-

CC: Daniel/Lilian

Miss Rimita for the Applicant

Murango Mwenda for the Respondent.

P.M. NJOROGE

JUDGE