



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT MERU**

**E & L NO 37 OF 2013**

**RAEL GATABIRA MUTEA.....PLAINTIFF**

**VERSUS**

**MARY WAKARIMA KIRUTHU.....DEFENDANT**

**RULING**

An Interlocutory Judgement had been entered in this matter on 23<sup>rd</sup> day of May, 2014.

The matter was poised for formal proof proceedings on 22/07/2015 when the Parties presented to Court a Consent they wanted adopted as an order of this Court. The Consent is adopted as an Order of this Court. The Consent is in the following terms:

1. *“By Consent of both Counsels the interlocutory Judgement entered on 23<sup>rd</sup> May, 2014 is hereby set aside.*
2. *The defendant be at liberty to file her defence within 14 days from the dates hereof.*
3. *The Plaintiff be granted leave to amend plaint within (7) days from the date of service of defence if necessary”.*

**I direct that the Defendant fully complies with Order 11, CPR, within 45 days.**

**It is so ordered.**

Delivered in Open Court at Meru this 22<sup>nd</sup> July, 2015 in the presence of:-

CC: Lilian/Daniel

J.G Gitonga for the Plaintiff

Mrs Kaume for the Defendant

**P.M.NJOROGE**

**JUDGE**