



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
MISC. CIVIL APPLICATION NO. 22 OF 2015

JULIUS KIAMBATI M'MBURA.....APPLICANT/INTENDED APPELLANT

VERSUS

BERNARD KIRIMI THIRUNGUA.....1ST RESPONDENT

THE LAND & SETTLEMENT

OFFICER, TIGANIA WEST DISTRICT2ND RESPONDENT

R U L I N G

This application is dated 16.9.2015 and seeks orders:

1. ***THAT*** this Honourable Court be pleased to certify this matter as urgent and hear the same *experte in the 1st instance.*
2. ***THAT*** this Honourable Court be pleased to stay the proceedings in TIGANIA P.MCC NO. 197 of 2014 pending the hearing interpartes of this application or further orders of the court.
3. ***THAT*** this Honourable Court be pleased to stay the proceedings in TIGANIA PMCC NO. 197 of 2014 pending the hearing and determination of the main application herein and the intended appeal.
4. ***THAT*** costs be in the cause.

The application is supported by the affidavit of **JULIUS KIAMBATI M'MBURA** and has the following grounds:

1. ***THAT*** the case in Tigania being PMCC NO. 197 of 2014 has been fixed for hearing on 06.10.2015.
2. ***THAT*** the hearing of the suit in Tigania Law Courts shall greatly prejudice the application herein as the applicant seeks to be heard in the case.
3. ***THAT*** it is in the interests of justice that this application is filed.

In the interest of Justice, I grant prayer 2.

The application will be heard on 12.10.2015.

Costs shall be in the cause

It is so ordered.

Delivered in Open Court at Meru this 22nd day of September 2015 in the presence of:

Cc. Daniel/Lilian

Mwanzia for the Applicant

P. M. NJOROGE

JUDGE