



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL APPEAL NO 114 OF 2011

STANLEY KARUNTIMI M'MWAMBAAPPELLANT

VERSUS

KENNETH GITONGA M'RINGERARESPONDENT

RULING

This Ruling relates to an application dated 16/09/15 brought to Court by way of a Certificate of Urgency.

It seeks the following orders:-

1. ***THAT this application be certified as urgent and be heard on priority basis.***
2. ***THAT this Honourable Court be pleased to issue orders directing the Deputy Registrar of the High Court of Kenya at Meru to sign/execute to give possession to the decree holder.***
3. ***THAT this Honourable Court be pleased to order that eviction of the judgement debtor be enforced by a Court bailiff.***
4. ***THAT this Honourable Court be pleased to grant such other orders as to meet the ends of justice.***
5. ***THAT costs of the application be provided for.***

It is supported by the Supporting Affidavit of Kimathi Kibiti and has the following grounds:-

1. ***THAT this Honourable Court entered judgement on the 8th day of July, 2015 in favour of the Appellant/decree holder.***
2. ***THAT a decree was extracted and signed on the 7th day of August, 2015 to enable execute the Court's judgement.***
3. ***THAT the decree holder has been unable to enforce the decree as warrants for eviction have not been issued by this Honourable Court.***
4. ***THAT it is only fair, just and equitable that this Application is allowed as prayed to help meet the ends of justice.***

I find that the Application seeks to facilitate the implementation of this Court's Judgement delivered on

8th July, 2015. In the circumstances, prayers 2 and 3 in the application are allowed. Regarding prayer number 4, I direct that the O.C.S, Kariene Police Station, if this is found necessary, to facilitate the implementation of the Orders granted herein.

Costs are awarded to the Applicant.

It is so ordered.

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

CC: Lilian/Daniel

Mutegi for the Applicant.

P.M. NJORGE

JUDGE