



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**  
**CIVIL SUIT NO. 129 OF 2012**

**ANTONY REECE KANOTI.....PLAINTIFF**

**VERSUS**

**KATHAKA MWARANIA.....DEFENDANT**

**J U D G E M E N T**

Formal proof hearing had been fixed to take place on 25.2.2014. The parties, however, asked the Court to record a consent in the following terms:

1. The defendant has already paid Kshs. Sixty thousand (Kshs.60,000) to the plaintiff and will refund the balance of Kenya Shillings one hundred and eighty thousand (Kshs.180,000) with interest at Court rates on or before 31st, July, 2014.
2. Costs at Court rates are awarded to the plaintiff to be taxed by the Deputy Registrar.
3. Should the defendant not pay to the plaintiff the amounts in orders 1 and 2 above, judgement in favour of the plaintiff as prayed in the plaint shall stand entered against the defendant without recourse to further proceedings.

The consent terms are adopted as orders of the Court and the suit is marked as concluded.

**Dated, Signed and Delivered in open Court at Meru this 25th day of February, 2014**

**in the presence of:**

**Cc. Daniel**

**B. G. Kariuki for the plaintiff**

**Kathaka Mwarania - Defendant**

**P. M. NJOROGE**

**JUDGE**