



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

E & L CASE NO. 36 OF 2014

PETER MBAABU.....1ST PLAINTIFF

KENNETH KOOME.....2ND PLAINTIFF

CATHERINE MWARI.....3RD PLAINTIFF

VERSUS

JACOB KIRIMA MARETE.....DEFENDANT

**R U L I N G**

This application is dated 6th March, 2014. The 2nd plaintiff sought orders:

1. **That the application be certified urgent and the same be heard exparte and on priority basis in the first instance.**
2. **That pending interpartes hearing of the application an order of temporary injunction be granted restraining the defendant/respondent, his agents and servants from selling, transferring and disposing off the suit land Nos. NTIMA/NTAKIRA/3659, NTIMA/NTAKIRA/3660,NTIMA/NTAKIRA3661,NTIMA/NTAKIRA/3662 and NTIMA/NTAKIRA/3663.**
3. **That pending hearing and determination of the main suit an order of temporary injunction be granted restraining the defendant/respondent, his agents and servants from selling, transferring and disposing off the suit land Nos. NTIMA/NTAKIRA/3659, NTIMA/NTAKIRA/3660,NTIMA/NTAKIRA/3661,NTIMA/NTAKIRA/3662and NTIMA/NTAKIRA/3663.**
4. **Pending hearing and determination of the application interpartes of the application an order of inhibition do issue and be registered against title Nos. NTIMA/NTAKIRA/3659, NTIMA/NTAKIRA/3660, NTIMA/NTAKIRA/3661, NTIMA/NTAKIRA/3662 and NTIMA/NTAKIRA/3663.**
5. **Pending hearing and determination of the main suit an order of inhibition (sic) Nos.NTIMA/NTAKIRA/3659,NTIMA/NTAKIRA/3660,NTIMA/NTAKIRA/3661, NTIMA/NTAKIRA/3662, and NTIMA/NTAKIRA/3663.**
6. **Costs of the application be provided for**

Interim orders in terms of prayers 2 and 4 were granted on 11.3.2014. The application was fixed for interpartes hearing on 25.3.2014. During the hearing, the applicant did not prosecute his case. It was not clear whether the defendant/respondent had been served or not.

In the circumstances, I dismiss the application.

**Delivered in Open court this 25th day of March, 2014 in the presence of:**

Cc. Daniel

**P. M. NJORGE**

**JUDGE**