



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU

HCC 60 OF 2011

M'MWONGERA MIRURI.....PLAINTIFF

VERSUS

NANCY KANUGU MBAYA (Legal Administratrix

the Estate of AYUB MBAYA MWONGERA.....DEFENDANT

R U L I N G

This application is dated 20th January, 2014 and seeks orders:

1. That the Court be pleased to allow the applicant to amend his pleadings as per the attached Originating Summons.
2. That the costs of this application be in the cause.

It is based on grounds that:

- (a) The 1st Defendant has sub-divided and transferred Kiirua/Kiirua/324 into 1404, 1405, 1406, 1407, 1408 and 1409 and transferred to other persons.
- (b) It is necessary to include the other persons who got a share as a result of land parcel **KIIRUA/KIIRUA/1324**.(sic)
- (c) That if the applicant does not include these people to whom the land was sub-divided and transferred into their respective names the applicants suit will be rendered in vain.

During the interpartes hearing on 2.4.2014, the parties, by consent, agreed that the application should be allowed with costs in the cause.

In the circumstances, I allow the application. Costs will be in the cause.

It is so ordered.

Delivered in Open Court at Meru this 2nd day of April 2014 in the presence of:

Cc. Daniel/Christine

Kiome for the applicant

Kieti h/b Gatare Ringera for Respondent

P. M. NJORGE

JUDGE