



IN THE HIGH COURT OF KENYA AT MERU

ENVIRONMENT AND LAND CASE NO. 37 OF 2012

ISABELLA KANUGU RIUNGU.....PLAINTIFF

VERSUS

JOSEPH KIRIMI.....DEFENDANT

R U L I N G

This application is dated 5th November 2013 and seeks orders:

1. ***THAT this application be certified urgent and heard on priority basis.***
2. ***THAT this Honourable court be pleased to issue an order of temporary injunction restraining the Defendant/Respondent or his employees, agents and/or servants or any other person acting under his directions from entering into, working, dealing and/or interfering in any manner whatsoever with the Applicant's/Plaintiff's two (2) acres portion in suit land parcel No. KIBIRICHIA/454 pending the inter-partes hearing of this application.***
3. ***THAT this Honourable court be pleased to issue an order of temporary injunction restraining the Defendant/Respondent or his employees, agents and/or servants or any other person acting under his direction from entering into, working, dealing and/or interfering in any manner whatsoever with the Applicant's/Plaintiff's two (2) acres portion in suit land parcel No. KIBIRICHIA/454 pending the hearing and determination of this suit.***
4. ***THAT this Honourable court be pleased to order that the orders be served upon the O.C.C. Subuiga police station for implementation.***
5. ***THAT the costs of this application be provided for.***

Today's mention date for directions had been fixed by consent. However, the advocate for the defendant did not avail himself in Court. On 16.12.13 this Court had directed that parties file and exchange written submissions regarding the application within 14 days. The defendant has not filed and exchanged his submissions. It is noted that this application has not been concluded for about 8 months.

In the circumstances, I allow the application.

Costs shall be in the cause.

It is so ordered.

Delivered in Open Court this 25th day of June, 2014 in the presence :

Cc Daniel

Miss Thibaru for plaintiff.

P. M. NJORGE

JUDGE