



REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA AT MERU

ELC 47 OF 2014

JASON KIAMBA KIMBUI.....PLAINTIFF

VERSUS

FRANCIS KAMILICHUI.....1ST DEFENDANT

FESTUS KINYUA.....2ND DEFENDANT

JAMES KAILEMIA.....3RD DEFENDANT & 4 OTHERS

**R U L I N G**

This application is dated 25.3.2014. It seeks orders:

1. *This application be certified as urgent and it be heard exparte in the first instance and service be dispensed with.*
2. *The Honourable court be pleased to restrain the Respondents, their servants, agents and employees from developing the applicant's parcel land parcel No. KIANJAI/MITIUNTU/77 in any manner pending hearing of the application.*
3. *The Honourable court be pleased to restrain the Respondents, their servants, agents and employees from developing the Applicants parcel land parcel No. KIANJAI/MITIUNTU/77 in any manner pending hearing of this suit.*
4. *That inter parties hearing be on the 19th day of June 2014.*
5. *Costs of the application be provided for.*

On 19.6.2014 the parties through their advocates agreed to settle the application in the following manner:

**“Parties in occupation to continue with their occupation BUT should not carry out any permanent development on the land”**

This settlement is adopted as an order of this Court. Costs shall be in the cause.

**Delivered in Open court at Meru this 19th day of July, 2014 in the presence of:**

Cc Daniel/Lilian

Anambo for plaintiff

Murango Mwenda for defendants

**P. M. NJORGE**

**JUDGE**