



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**  
**MISC APPLICATION NO. 51 OF 2014**

MWAMATI MUTUMA M'LIMBINE.....APPLICANT

VERSUS

RAEL ITURA M'IKANATHA & ANO.....1ST RESPONDENT

DAVID KAINGA M'LIMBINE.....2ND RESPONDENT

**RULING**

This application is dated 17th day of October, 2014 and seeks orders:

1. ***THAT the Honourable court be pleased to certify this application most urgent and the same be heard exparte in the first instance.***
2. ***THAT this Honourable Court be pleased to issue orders of inhibition over all that parcel of land known as L. R. Nyambene/Antubetwe/858 pending the hearing and determination of MERU HIGH COURT SUCCESSION CAUSE NO. 506 OF 2010.***
3. ***THAT costs of this application be provided for.***

The application was heard interpartes on 28.10.2014. The applicant relied on grounds on the face of the record and on the supporting affidavit of the applicant who claims to be a son of the owner of the suit land.

The respondents merely denied the applicant's claim.

As the orders sought are meant to subsist until Meru High Court Succession Cause No.506 of 2010 is heard and determined, Prayer 2 of the application is allowed.

Costs shall be in the cause.

It is so ordered.

**Delivered in Open Court at Meru this 28th day of October, 2014 in the presence of:**

Cc. Daniel/Lilian

Maganga for Applicant

Rael Itwa – 1st Defendant

David Kainga – 2nd Defendant

**P. M. NJOROGI**

**JUDGE**