

REPUBLIC OF KENYA

High Court at Meru

Environmental & Land Case 45 of 2012

M'RUTERE M'NGARUNI.....PLAINTIFF

VERSUS

M'NGARUNI M'MUGA.....1ST DEFENDANT

GERALD KIBITI M'RINGERA.....2ND DEFENDANT

JOHN GITUMA.....3RD DEFENDANT

RULING

The application herein dated 16.7.2012 was brought by way of notice of motion. It sought to have the matter certified urgent, which was done. It also sought under prayer (b) an order of injunction against the respondents, by themselves, their agents, servants, employees or any one acting on their behest restraining them from entering, cultivating, transferring, disposing, constructing, developing or in any other way interfering with plot No. 596 Kiirua/Nkando pending the hearing and determination of this application and the main suit. It also sought that costs of the application be provided for.

The application was heard interpartes on 20.2.2013. All parties were present. The advocate for the plaintiff/applicant prayed that the application dated 16.7.2012 be allowed as it had not been opposed. In their replies, the defendants did not oppose the plaintiff's/applicant's prayer.

In the circumstances, I do allow the Plaintiff's/Applicant's Application dated 16th July 2012. Costs are awarded to he plaintiff.

Written, read in open court today and dated 20th February, 2013.

**P. M. NJOROGE
JUDGE**