

REPUBLIC OF KENYA

High Court at Meru

Environmental & Land Case 210 of 2012

FAITH TIRINDI NJERU.....PLAINTIFF

VERSUS

MURIUKI WACHIRA.....DEFENDANT

RULING

The plaintiff's application in this matter is dated 21st November, 2012.

Mr. Muthomi for the plaintiff/applicant alerted the Court to the respondent's replying affidavit dated 5th February, 2013. He pointed out that at paragraph 8 of the said affidavit, the respondent had conceded to the property No. Abogeta/U-Kithangari/776 being preserved until the suit herein is heard and determined. As this was the main prayer in the application dated 21st November, 2012, he prayed that the application be allowed.

I agree with the applicant's/plaintiff's position. In the circumstances, I allow the application and specifically, for avoidance of doubt, prayer 3 in the application dated 21st November, 2012 is granted.

I order that costs be in the cause.

Delivered in open court at 10.15 a.m. at Meru this 6th day of February, 2013.

**P. M. NJORGE
JUDGE**