



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**  
**CIVIL CASE NO. 72 OF 2012**

**VICTOR GITONGA.....1ST PLAINTIFF**

**NICHOLAS KARANI GERALD.....2ND PLAINTIFF**

**VERSUS**

**FRANCIS MBAE NDEREBA.....DEFENDANT**

**CONSENT JUDGEMNET**

The parties presented a consent dated 13.8.2013 to the court which was in the following terms.

1. That the defendant do pay to the plaintiffs the sum of Kshs.840,000/= (Kenya Shillings Eight Hundred and Forty Thousand) only all inclusive to enable them acquire alternative parcels of land.
2. That the plaintiff's to give defendant vacant possession of land parcel No. **ABOGETA/U-KIUNGUNE/804** within ninety (90) day of the payment of the agreed sum of Kshs.840,000/- (Kenya Shillings Eight Hundred and forty Thousand) and in default to be forcefully evicted therefrom with their siblings, agents, assigns and or employees or servants with the assistance of the Officer Commanding Police Station (O.C.S) Nkubu Police Station.
3. That this matter be marked as settled.

The consent has been adopted as the order of the Court.

On 28.9.2013, an ex-parte application was heard before me which sought orders:

1. the matter be certified urgent and heard ex-parte.
2. That the Court do order removal of Inhibition on title to Land Parcel No. **ABOGETA/LOWER-KIUNGONE/804**
3. That Court do make other order for ends of justice.
4. That costs be provided for.

I allow prayer 2 for removal of Inhibition against title to Land Parcel No. **ABOGETA/LOWER – KIUNGONE/804**. I give no order as to costs. This application was heard exparte as it was merely facilitative.

Consequently, I order that this suit be deemed settled and conclusively determined. For avoidance of doubt, no orders as to costs have been granted.

**Written, dated and delivered in Open Court this 27 th day of September, 2013 in the presence of:**

Mwonjaru/Daniel

Muthomi for plaintiff's

**P. M. NJORGE**

**JUDGE**