



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
E & L NO. 164 OF 2012

BAIKIAMBA KIRIMANIA..... PLAINTIFF

VERSUS

M'MAUTA NKARI.....DEFENDANT

J U D G M E N T

Formal proof proceedings in this matter took place on 19.9.2013. The plaintiff told the Court that an Interlocutory Judgment had been entered against the defendant. He also lamented that despite service, the defendant had refused to come to Court. He had also refused to move out of his land Parcel **NO. ITHIMA /NTUNENE/40**. The plaintiff presented to Court his Title Deed showing that he was the registered owner of land Parcel **NO. ITHIMA/NTUNENE/40**.

He sought the orders contained in his prayers in the plaint.

I find that the plaintiff has proved his case. It is ordered as follows:

1. **Judgment is entered against the defendant for a permanent injunction restraining him, his agents, servants and/or employees or whomsoever else acting on his behalf or behest from moving into, entering, trespassing, alienating, constructing and/or in any other manner whatsoever from interfering with the plaintiff's ownership, possession, occupation and use of his Land Parcel NO. ITHIMA/NTUNENE/40.**
2. **An order of eviction of the defendant from the plaintiff's land parcel NO. ITHIMA/NTUNENE/40.**
3. **Costs of this suit are awarded to the plaintiff.**
4. **Court orders herein be enforced by the OCS Laare Police Station**

Dated and delivered in Open Court at Meru this 19th day of September, 2013 in the presence of:

Cc. Mwonjaru

Baikiamba Kirimania – Plaintiff

P. M. NJOROGI

JUDGE