

**REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (MILIMANI COMMERCIAL COURTS)
Civil Case 912 of 2009**

STEPHEN NJOROGE KAMAU.....PLAINTIFF

VERSUS

KAUR N. SEHMIDEFENDANT

RULING

1. The Chamber Summons dated 17th December 2009 is seeking for orders to restrain the defendant from interfering with the applicant's peaceful occupation of LR NO.209/136/109 along Kilome Road Nairobi. This application is supported by the grounds on the face of the application, the supporting affidavit of Stephen Njoroge Kamau and the annexures thereto. Going by the annexure especially the Lease Agreement prepared by the defendant's Advocate and dated 16th October 2009, the property leased to the applicant was the Ground Floor of LR NO.209/136/09. This is further supported by a consent order entered by the parties in BPRT case No.829/09 Nairobi.
2. Accordingly I find the plaintiff has established a prima facie case with a probability of success. I grant prayer No (c) to remain in force until the determination of the suit. Costs of the application to the plaintiff.

RULING READ AND SIGNED ON 25TH MAY 2010 AT NAIROBI.

**M.K. KOOME
JUDGE**