



**REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA  
AT MERU**

**Civil Case 153 of 2009**  
HUMPREY MATI NKOROI ..... PLAINTIFF

**VERSUS**

GRACE KARUKI MUTEGI ..... 1<sup>ST</sup> DEFENDANT  
AMOS MBAKA ..... 2<sup>ND</sup> DEFENDANT

**JUDGMENT**

The plaintiff obtained interlocutory judgment against both defendants on 16<sup>th</sup> February 2010. Interlocutory judgment was entered in default of the defendant's appearance and/or defence in this case. The plaintiff formally proved his case before me. He stated that he is the owner of parcel number *Magumoni/Mukuuni/987* and exhibited the title to prove his ownership. He stated that the defendants without his permission entered into that property and begun to erect structures. That they erected temporary structures and despite demands to vacate they have failed to do so. The plaintiff proved his case on a balance of probability. He proved that he was the owner of the subject land and his evidence in respect of the defendant's trespass upon his land was uncontroverted. The plaintiff therefore is entitled to judgment as prayed. The judgment of the court is:-

1. ***An order is hereby issued for the eviction of Grace Karuki Mutegi and Amos Mbaka from parcel number Magumoni/Mukuuni/987 forthwith.***
2. ***The O.C.S. of the police station which is close to Magumoni/Mukuuni/987 is required to give assistance in the eviction of Grace Karuki Mutegi and Amos Mbaka and their servants or agents to ensure that there is no breach of peace.***
3. ***The defendants will pay the plaintiff's costs of this suit.***

Dated and delivered at Meru this 2<sup>nd</sup> day of July 2010.

**MARY KASANGO  
JUDGE**