



IN THE MATTER OF: LAND PARCEL NO. KWALE UKUNDA 965

AND

IN THE MATTER OF: REGISTERED LAND ACT CAP 300

(LAWS OF KENYA) SECTION 143

AND

IN THE MATTER OF: HCC CIVL SUIT NO. 336 OF 2008 (O.S)

BETWEEN

MWANAJUMA MOHAMED MWAJINGA PLAINTIFF

V E R S U S

ATHMANI SAID GUO DEFENDANT

RULING

By an Originating Summons dated 8th June, 2009 the applicant herein has come to court seeking the following orders:-

1. **THAT** property known as Plot No. Kwale/Ukunda/965 be vested in the applicant MWANAJUMA MOHAMED MWAJINGA of Mkwakwani, Kwale District.
2. **THAT** costs of this application be provided for.

I have obtained and perused Misc. Civil App. No. 336 of 2008 (OS) in which Hon. Justice Njagi did on 11th December, 2008 make orders as follows:

“1. THAT the Registrar of Land, Kwale District Registry be and is hereby directed / ordered to rectify the register in respect of the land parcel No. KWALE/UKUNDA/965 by replacing the name therein and entering the name of MWANAJUMA MOHAMED MWAJINGA in the Register as duly registered proprietor and a Title Deed be issued forthwith.”

That order has not in any way been challenged nor appealed against by any party whatsoever. The dispute over this parcel of land was settled by the Kwale Land Disputes Tribunal who made their award in favour of the applicant herein. That award was duly confirmed by the Resident Magistrate, Kwale on 18th March, 2008 followed by the abovementioned Ruling of Hon. Justice Njagi. My role therefore is merely to give orders vesting the said parcel of land in the applicant which I hereby do. I do now allow this present application in terms of prayer (1) thereof.

Costs to be met by the applicant.

Dated and Delivered at Mombasa this 16th day of October, 2009.

M. ODERO

JUDGE

Read in open court in the presence of:-

Applicant in person.

M. ODERO

JUDGE

16.10.2009