

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA

AT EMBU

Civil Case 67 of 2007

SIMON. P. KAMAINA KARIGI.....PLAINTIFF

VERSUS

JOSEPH MURIITHI MUCHUTHI.....DEFENDANT

JUDGMENT

The plaintiff claims for the eviction of the Defendant his servants and agents from the plaintiffs land parcel Baragwi/Thumaita/2021. Both parties gave evidence in court the plaintiff called witness.

I have considered the evidence before the court. The plaintiff holds title Deed to the suit property and has been holding the same since February, 1999. The defendant has been illegally occupying the plaintiff's land without the plaintiff's consent and contrary to terms of sale agreement. I therefore find that the plaintiff has proved his case. I enter judgment for plaintiff as prayed in the plaint. The defendant shall vacate and give vacant possession to the plaintiff within the next 60 days from the date hereof.

Dated this 13th May, 2008.

J. N. KHAMINWA

JUDGE

13/5/2008

Khaminwa – Judge

Njue- Clerk

Simon – present

Joseph – present in person

Read in open court in their presence.

J. N. KHAMINWA

JUDGE