

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NYERI

Misc Appli 2 of 1994

BENARD NGARI.....PLAINTIFF

Versus

VIRGINIA KARIUKO.....DEFENDANT

RULING

VIRGINIA NGARI the applicant herein has brought an application of Notice of Motion dated 3rd November 2006 brought under *Order KLV Rule 17* of the Civil Procedure Rules. The applicant seeks an order of the court to enter judgment of the award filed in court on 15th April 1998 and read by the court on 17th September 1998. The said award was by Land Gichugu Land Tribunal Court. The award was read by the court as stated herein before but it has not been made a judgment of the court because of intervention of applications made by the Respondent. The Respondent was served with the present application but failed to attend the hearing.

I have considered the application and the supporting affidavit and I find that the prayers sought are merited. Accordingly the court grants the following order:

- (1) That judgment be and is hereby entered of the Award of Land Dispute Tribunal Gichugu filed in court on 15th April 1998.
- (2) That there shall be no order as to costs in respect of the Notice of Motion dated 3rd November 2006.

Dated and delivered at Nyeri this 25th day of May 2007.

MARY KASANGO

JUDGE