



**BENARD NGARI.....PLAINTIFF**

*Versus*

**VIRGINIA KARIUKO.....DEFENDANT**

**RULING**

**VIRGINIA NGARI** the applicant herein has brought an application of Notice of Motion dated 3<sup>rd</sup> 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 15<sup>th</sup> April 1998 and read by the court on 17<sup>th</sup> 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 15<sup>th</sup> April 1998.
- (2) That there shall be no order as to costs in respect of the Notice of Motion dated 3<sup>rd</sup> November 2006.

***Dated and delivered at Nyeri this 25<sup>th</sup> day of May 2007.***

**MARY KASANGO**

**JUDGE**