

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT EMBU

CIVIL CASE NO 37 OF 2004

NICHOLAS NGUTHI KAVINDAPLAINTIFF/ APPLICANT

VERSUS

JAMES KARIUKI MARETE.....DEFENDANT/ RESPONDENT

JUDGEMENT

1. The Plaintiff is the registered proprietor of land parcel number Nthawa/Gitiburi/2444. He seeks Orders that the Defendant should remove himself, his family, belongings and servants from that parcel of land.
2. Although served, the Defendant refused to Enter Appearance nor file Defence.
3. The Plaintiff in evidence produced the extract of title (green card) for the suit land and the title to it. He gave notice to the Defendant to vacate the suit land on 24.2.2000 but he refused to do so. This suit was thereafter filed.
4. In the absence of evidence to the contrary, the Plaintiff is entitled to possession of the suit land, he being the lawfully registered proprietor thereof. 5. I shall grant Orders as sought in the Plaint. Costs thereof shall be paid to the Plaintiff by the Defendant.

Orders accordingly.

Read in Open Court this 7TH day of MARCH 2005

I. LENAOLA

JUDGE

In presence of;

Mr. Njage for plaintiff

N/A for Defendant

I.LENAOLA

JUDGE