

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA
AT MOMBASA
CIVIL CASE NO.188 OF 1997

1. FRANCIS KINYUA
2. JAMES KANORU
3. MICHAEL MAISA & 234 OTHERS.....PLAINTIFFS
=V E R S U S=

1. MUNICIPAL COUNCIL OF MOMBASA
2. MOHAMED ABDALLA ZUBEDI.....DEFENDANTS

R U L I N G

This court by Justice Waki issued an injunction based on terms to be complied with before it could be lifted. The injunction is contained in his orders dated 18.8.2000. Materials have been placed on the record confirming full compliance of the orders aforementioned. I have carefully examined the material before this court which include several certificates of works and certificates of compliance. I have also listened and considered Mr. Taib's and Mr. Karisa's submissions on the matter. I am satisfied that the orders of this court dated 18.8.2000 have been complied with as ordered.

There is therefore no need to leave them standing and demanding when they are exhausted. I see no impediment in lifting them.

ORDER:

1. The injunction orders and terms thereto of this court dated 18.8.2000 are hereby lifted and the main matter marked as finalized.

Dated and delivered at Mombasa this 11th day of June, 2002.

D. A. ONYANCHA
JUDGE