



IN THE HIGH COURT OF KENYA
AT MOMBASA
MISC. CIVIL APPLICATION NO.493 OF 2002

**IN THE MATTER OF: AN APPLICATION BY ELLISTON
MWANGEKA NDAU FOR VESTING
ORDERS OF PROPERTY KNOWN AS
PARCEL OF LAND (L.R. NO. 1956/502/VOI
CR. NO. 15542) WITHIN THE REPUBLIC OF
KENYA IN EXECUTION OF CERTIFICATE
OF SALE ISSUED ON 15TH DAY OF APRIL
2002 AT MOMBASA.**

AND

**IN THE MATTER OF: MOMBASA CHIEF MAGISTRATE'S CORUT
CIVIL CASE (CMSS) NO. 10 OF 1999 JOHN
MACHARIA MUHUNI VERSUS AUSTIN
OWN MWANGUTI AND LIONS EXPORT
AND IMPORT AGENCY LIMITED.**

RULING

I have perused the Notice of Motion herein. I have also perused the Affidavit in support of it and the annexures. I have also seen the original file before the subordinate court and particularly the orders delivered on 15th April, 2002 by the Senior Principal Magistrate. I am satisfied that the application is merited. It is granted in terms of prayers 1 and 2. No order as to costs. Orders accordingly.

Dated and Delivered at Mombasa this 6th Day of November 2002.

J.W. ONYANGO OTIENO
JUDGE