



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**CIVIL SUIT NO. 263 OF 2000**

**MARY WAMBUI PETER NGIGE .....PLAINTIFF**  
**-VERSUS-**  
**MAMU ENE TORINKE KARORI.....DEFENDANT**

**JUDGMENT**

The plaintiff sued the defendant for orders that:

- (a) The caution lodge against the Land Kajiado/Kaputei North/1473 lodged by the defendant be removed.
- (b) The defendants bears the costs of this application
- (c) The court makes any further orders as it may deem fit. An interlocutory judgement against he defendant was entered on 12.6.2000.

During the formal proof the plaintiff gave evidence that she is the owner of the land in question having bought it in 1993 from the husband of the defendant. She produced the title deed, the agreement for sale dated 3.4.1993, the Land Control Board consents dated 10.3.1998 and the evidence of the caution by the defendant. From the plaintiffs evidence it is clear that the land in question belongs to the plaintiff. There is no evidence to support the lodging of the caveat by the defendant and there is no justification for the caution.

The plaintiff is entitled to the orders prayed for. The caution is to be removed forthwith and the defendant shall pay the costs of this suit.

**Delivered and dated this 21st day of July, 2000.**

**KASANGA MULWA**

**JUDGE**