

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CIVIL CASE NO. 1095 OF 2000

WILSON IRUNGU WAMBUGU.....PLAINTIFF

-VERSUS

MARGARET WAITHERA NGEERA.....DEFENDANT

RULING

The applicant is asking for restraining orders against the defendant from evicting the applicant from the premises Plot No. LR 209/1913/1 Nairobi. The applicant in this application is a mere licensee. As a licensee he would be entitled to a reasonable time to remove his goods and make arrangements elsewhere for his business. He would also be entitled to a notice about the revocation of the licence but he is without any estate or interest in the property. This case therefore does not fall within the cases, which were cited, to me during the hearing of the application. The applicant is not entitled to the remedies asked for because he can be adequately compensated for by payment of damages. The application is refused but the costs shall be in course.

Delivered and dated at Nairobi this 10th day of November, 2000.

KASANGA MULWA

JUDGE