



Charles (Legal representative of the Estate of the Late Charles Gichoga (Deceased) v M'Mbijiwe (Sued as the legal representative of the Estate of Rosalia Andea (Deceased) (Environment & Land Case 63 of 2015) [2024] KEELC 586 (KLR) (7 February 2024) (Ruling)

Neutral citation: [2024] KEELC 586 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MERU
ENVIRONMENT & LAND CASE 63 OF 2015
CK NZILI, J
FEBRUARY 7, 2024**

BETWEEN

GLADYS GATWIRI CHARLES (LEGAL REPRESENTATIVE OF THE ESTATE OF THE LATE CHARLES GICHOGA (DECEASED) PLAINTIFF

AND

ROMANO MUNYUGI M'MBIJIWE (SUED AS THE LEGAL REPRESENTATIVE OF THE ESTATE OF ROSALIA ANDEA (DECEASED) DEFENDANT

RULING

1. The court is asked to lift inhibition orders placed on L.R no. Nkuene/Kithunguri/340 through orders made on 30.7.2015.
2. The reason is that the purpose of the orders was to preserve the suit property until the suit was determined. The applicant says that following the determination of the suit, there was need to lift the orders of inhibition to pave the way for the implementation of the decision.
3. Section 70 of the *Land Registration Act* grants the court powers to impose inhibition orders restricting any transaction over a title to land until further orders or an occurrence of an event. See Julius Nturibi Rukaria vs Mary Ncekei Kirianki and another (2021) eKLR.
4. In this suit, the applicant says the event envisaged in the order has occurred and so the orders of preservation of the property are no longer necessary to effectuate the decree of this court. The respondent has filed no objection to the application. Consequently, I allow the application with no order as to costs.

DATED, SIGNED, AND DELIVERED VIA MICROSOFT TEAMS/OPEN COURT AT MERU ON THIS 7TH DAY OF FEBRUARY 2024

In presence of



C.A Kananu

Ringera for plaintiff

Miss Mugo for defendant

HON. CK NZILI

JUDGE

