



**Coulston v Kimondo, Kobocha & Mwangi (Sued as Trustees of Comedo Self Help Group) & another (Environment & Land Case E121 of 2022) [2022] KEELC 2856 (KLR) (7 July 2022) (Order)**

Neutral citation: [2022] KEELC 2856 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI  
ENVIRONMENT & LAND CASE E121 OF 2022**

**LN MBUGUA, J  
JULY 7, 2022**

**BETWEEN**

**CHARLES RAY COULSTON ..... PLAINTIFF**

**AND**

**SIMON WACHIRA KIMONDO, SAMUEL NGARI KOBOCHA &  
PATRICK MWANGI (SUED AS TRUSTEES OF COMEDO SELF HELP  
GROUP) ..... 1<sup>ST</sup> DEFENDANT**

**CHIEF LAND REGISTRAR NAIROBI COUNTY ..... 2<sup>ND</sup> DEFENDANT**

**ORDER**

1. I have perused the record and hereby give directions that the consent dated June 7, 2022 is hereby adopted as an order of the court in the following terms:

**Whereas:**

1. The Plaintiff is the owner and is in occupation of all that land known as Title No: Nairobi Block 118/266.
2. The 1st Defendant is the owner and is in occupation of all that land known as Title No: Nairobi Block 118/267.
3. The 1st Defendant is in possession of and in custody of the Lease and certificate of lease in respect of Nairobi Block 118/266 issued by the 2nd Defendant.
4. The Plaintiff and 1st Defendant desire to obtain the respective leases and Certificates for their respective Lands.



**By consent the suit by the Plaintiff as against the 1st Defendant be marked as compromised in the following terms:**

1. That, an order of permanent injunction be and is hereby issued restraining the 1st Defendant herein either by themselves, their servants, agents, assigns or any other person claiming through them from sub-dividing, interfering, alienating, selling off and/or transferring all that land registered as Nairobi Block 118/266 and from evicting and/or in anyway interfering with the Plaintiff's quiet possession of the said property
2. That, the Plaintiff be and is hereby declared the owner of all that land registered as Nairobi Block 118/266 measuring 0.404700 Hectares.
3. That, the 2nd Defendant do rectify the records at the lands registry to indicate that the Plaintiff/Applicant is the registered proprietor of Title No. Nairobi Block 118/266 and issue a lease and certificate of lease in favour of Charles Ray Coulston the Plaintiff herein.
4. That, the 2nd Defendant do rectify the records at the lands registry to indicate that the 1st Defendant is the registered proprietor of Title No. Nairobi Block 118/267 and issue a lease and certificate of lease in favour of Simon Wachira Kimondo, Samuel Ngari Kobocho & Partick Mwangi (as trustees of Comedo Self Help Group) the 1st Defendant herein.
5. That, the Plaintiff do refund the respective land rates and rents paid by the 1st Defendant in respect of Title No. Nairobi Block 118/266.
6. That, the matter to be mentioned within 30 days to confirm compliance.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 7TH DAY OF JULY, 2022 THROUGH MICROSOFT TEAMS.**

**LUCY N. MBUGUA**

**JUDGE**

**In the presence of:-**

Muema for the Plaintiff / Applicant

Macharia for the 1st Defendant / Respondent

Court Assistant: Eddel

