



REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT
AT KAJIADO
ELC CASE NO. 11 OF 2018

JACINTA KEUKE LEUDA.....1ST PLAINTIFF

LEONARD NTAWASA LEUDA.....2ND PLAINTIFF

VERSUS

THE CHAIRMAN ROMBO GROUP RANCH LEMARON OLE MANYABERA.....1ST DEFENDANT

THE SECRETARY ROMBO GROUP RANCH SITERU NKIPAPAI.....2ND DEFENDANT

THE TREASURER ROMBO GROUP RANCH JACOB LOGELA.....3RD DEFENDANT

THE SCHOOL MANAGEMENT COMMITTEE OLOSHONYOKIE PRIMARY SCHOOL....4TH DEFENDANT

THE REGISTERED BOARD OF TRUSTEE OF AFRICAN INLAND CHURCH (AIC) OLOSHONYOKIE
 (LOITOKTOK).....5TH DEFENDANT

THE BOARD OF TRUSTEES FREE PENTECOSTAL FELLOWSHIP OLOSHONYO6TH DEFENDANT

KALII OLE MANKII.....7TH DEFENDANT

KODE OLE JUMBO.....8TH DEFENDANT

FALEH MUHAMEDI.....9TH DEFENDANT

THE MANAGEMENT COMMITTEE OF OLOSHONYOKIE WATER PROJECT.....10TH DEFENDANT

JUDGEMENT

By a Plaint dated 2nd February, 2018, the Plaintiffs pray for judgment against the Defendants for:

- a. A declaration that all that parcel of land known as Loitoktok/Olkaria/325 belongs to the estate of deceased Joel Leuda Orumoi to which the 1st and 2nd Plaintiffs are entitled to as the beneficiary.
- b. An order of permanent injunction restraining the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th and 10th Defendants by themselves or their agents and/ or servants from sub dividing, alienating, transferring and or interfering or in any way dealing with all that parcel of land known as Loitoktok/Olkaria/325.
- c. An order that report of the District Land Registrar – Kajiado dated 18th October, 2017 be adopted as the orders of the Hon. Court.
- d. An order of eviction against the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th and 10th Defendants by themselves or their agents and/or servants from sub dividing, alienating, transferring and or interfering or in any way dealing with all that parcel of land known as Loitoktok/Olkaria/325.

e. General damages

f. An order authorizing the Officer Commanding Police Division - Loitoktok and the Officer Commanding Ilasit Police Station to enforce the court orders /decree

g. Costs of the suit.

h. Any other order the court may deem just and fit in the circumstances.

The 1st to 10th Defendants filed their Amended Statement of Defence including a Counterclaim dated the 1st August, 2019, on the 5th August, 2019. They denied all averments in the Plaint except for the descriptive and jurisdiction of the court. They contended that they never trespassed on the suit land as the same is legally owned and occupied by Rombo Group Ranch that is the registered proprietor of Loitokitok/Rombo "B"/406 measuring 38,326.42 hectares and borders land registered in the name of the late Joel Leuda Peter Orumoi. In the said amended Statement of Defence and Counter Claim they sought for the following orders:

a. the 1st and 2nd Plaintiffs' suit be dismissed with costs;

b. The decision of the Principal Land Registrar, Kajiado dated 18th October, 2017 be set aside for contravening Section 7 of the Limitation of Actions Act, CAP 22 of the Laws of Kenya.

c. The land in dispute be registered in the name of Rombo Group Ranch.

The matter thereafter proceeded for hearing where the respective parties called their witnesses.

Evidence of the Plaintiffs

Jacinta Keuke Leuda as PW1 testified that she was the wife to the late Joel Leuda Orumoi with whom they had Nine (9) children out of which three (3) passed away. She confirmed that together with her two children, they applied for Letters of Administrators Intestate which were confirmed on 21st June, 1996 but rectified on 28th March, 2017. It was her testimony that her late husband owned the suit land which was a resultant sub division of Loitoktok/Olkaria/68 measuring 648 HA or 1600 Acres, from 1963 when the land was allocated to him. Further, that they reside on the suit land wherein they have put on structures and rear livestock. She claims the Defendants have trespassed on the said suit land by destroying original land beacons, grazing livestock, constructing a school, two churches and a water shed project and allocating a portion of the said land to their family members. She further testified that efforts to have the boundary dispute resolved through a private surveyor proved futile. It was her testimony that they held various meetings with the officials of Rombo Group Ranch including the Local Chief to resolve the boundary dispute relating to the suit land with no success. She confirmed that the Kajiado Land Registrar upon receipt of the boundary dispute complaint visited the disputed site and vide a report dated 18th October, 2017, found that the Defendants had encroached on the suit land. Further, he recommended that beacons be planted to demarcate the boundary between the suit land and Rombo Group Ranch. She explained that the Land Registrar and District Surveyor were not able to implement the report dated 18th October, 2017 on 12th January, 2018 as the Defendants incited members of the public to cause chaos by threatening them with harm if they proceeded with the said demarcation exercise. Further, that the boundary dispute is yet to be resolved due to frustrations from the Defendants who are Rombo Group Ranch Officials.

PW2 Leonard Ntwasa Leuda, testified that he was the son to the late Joel Leuda Orumoi and together with PW1, they applied for Letters of Administration Intestate which were confirmed on 21st June, 1996 and rectified on 28th March, 2017. He confirmed having resided on the suit land which was a resultant sub division of the original parcel No. Loitoktok /Olkaria /68. Further, that the said land which belonged to his father, is an individual ranch adjacent to the Rombo Group Ranch. He explained that in 2016, as administrators of the estate of the late Joel Leuda Orumoi, they sub divided the respective share of the estate to the beneficiaries and realized that the 1st, 2nd and 3rd Defendants had encroached on their land. It was his testimony that they filed a Complaint at the Office of the Kajiado Land Registrar for appropriate administrative action. Further, that they sought for resolution of the dispute through the chief and elders three times with no success. It was PW2's testimony that the Defendants illegally encroached on their land by destroying original beacons, building houses/ structures, grazing animals and allocating portions of the suit land to their families. He explained that upon receipt of the complaint, the Kajiado Land Registrar, visited the site of the boundary dispute and vide a report dated 18th October, 2017 found that the Defendants had encroached on the Plaintiffs land by 500 Acres. Further, the said report recommended that beacons be planted to demarcate the boundary between the suit land and Rombo Group Ranch. He stated that on 12th January, 2018, the District Surveyor, District Land Registrar, Assistant County Commissioner and Security Officer did not manage to plant beacons or demarcate the boundary as the Defendants incited members of the public who threatened to cause harm.

PW3 who was the Kajiado Land Registrar, testified that the 1st and 2nd Plaintiffs lodged a Complaint in respect to a boundary dispute between themselves and Rombo Group Ranch Officials over the suit land, at the office of Kajiado Land Registry. He confirmed that on 25th April, 2017, they visited the disputed site and in attendance during the site visit were the Plaintiffs, Rombo Group Ranch Officials and the Defendants all of whom recorded their statements before successfully identifying their boundaries. It was his testimony that on 12th January, 2018, together with the District Land Registrar, the District Surveyor, Assistant County Commissioner and Security Officers they visited the suit land to implement the report dated 18th October, 2017 relating to boundary dispute between LTK /Olkakaria /325 and Rombo Group Ranch but were not able to plant any beacons as they were threatened with harm if they continued with the exercise.

The Plaintiffs thereafter produced the following documents as their exhibits: 1st and 2nd Plaintiffs' National Identity Cards; Authority to Plead; Certificate for Confirmation of Grant dated 28th March, 2012; Certificate of Title for Loitoktok/ Ol Karia/ 325; Green Card for Loitoktok/ Ol karia / 325; District Land Registrar/ District Surveyor's Report dated the 18th October, 2017; Video Player Demonstrating

Violence on 12th January, 2018 by the Defendants; and Bundle of Photographs.

Evidence of the Defendants

DW1 John Sitelu Nkipapai, testified that he was the duly appointed Chairperson of Rombo Group Ranch in accordance with provisions of Land (Group Representatives Act) CAP 287 and was the Secretary of Rombo Group Ranch as at the time of filing the suit. He explained that Rombo Group Ranch was the registered proprietor of land parcel number Loitoktok/Rombo "B"/406 measuring 38,326.42 hectares while the suit land was registered in the name of the late Joel Leuda Peter Orumoi. He claimed Rombo Group Ranch have occupied the suit land since 1968 without any interruption or disputes from the late Joel Leuda Peter Orumoi or the administrators of his estate. He admitted that a portion of the suit land was allocated to the 4th, 5th, 6th and 10th Defendants to undertake projects that benefit the local community. He explained that the family of the late Joel Leuda Peter Orumoi only sought the intervention of the Kajiado District Land Registrar over the land dispute 12 years after the legally provided time frame making such intervention inconsequential. Further, that the 1st and 2nd Plaintiffs' and the late Joel Leuda Peter Orumoi's family never complained or opposed the construction of a primary school, two religious institutions and a water project on the suit land. He denied that the Defendants incited violence against any government officials as they were accompanied by Security officers who are trained making it hard for the public to overwhelm them. The Defendants thereafter produced the following documents as their exhibits: Authority to Plead; Certificate of Incorporation and Certificate of Title for LTK/ ROMBO 'B' / 406.

The parties thereafter filed their respective submissions.

Submission

Plaintiffs' Submissions

The Plaintiffs' in their submissions reiterated their claim and contended that they are the rightful owners of the suit land as per the Certificate of Confirmation of Grant dated 28th March 2012. Further, that they were issued with a Certificate of Title by Kajiado District Land Registrar in 1986 which confirmed they were absolute owners of the suit land as per Section 24 and 25 of the Land Registration Act, 2012. To buttress their averments, they relied on **Christopher Kitur Kipwambok vs Vipulratilal Dodhia & 3 others (2013) eKLR**. They further submitted that the legitimacy of their Certificate of Title was unopposed as there was no evidence or claim by the Defendants indicating that the suit land was acquired illegally or unprocedurally nor that it emanated from Rombo Group Ranch. They insisted that the District Land Registrar- Kajiado's report dated 18th October, 2017 clearly indicated that the Defendants encroached on the suit land by over 500 acres and the Defendants never challenged the said report within 30 days hence waiving their rights. Further, the Defendants filed an appeal in **Civil Appeal No. 3 of 2018 Kajiado, Rombo Group Ranch –vs- Jacinta Keuke Leuda & Another** seeking to appeal out of time, a suit which was dismissed with costs to the Plaintiffs. They insist the photographs produced as evidence clearly demonstrate that the Defendants trespassed on the suit land and therefore the Land Registrar and the District Land Surveyor duly exercised their legal mandate as per the provisions of the Land Registration Act, 2012. They contend that the Defendants have continuously encroached on the suit land to date and cannot claim ownership over the same based on the principle of adverse possession. To support their averments, they relied on the case of **Andrew Kebaso & Another –v- Christopher Getuno Onkeo (2017) eKLR**. They challenged the testimony of DW1 as incompetent as he never produced any documentary evidence to confirm his appointment as Chairperson of the Rombo Group Ranch, did not produce a map and list of members of Rombo Group Ranch nor their resolutions authorizing the Defendants to build on the suit land or demonstrate the Defendants were members of Rombo Group Ranch. They reiterated that the Land Registrar has powers to determine boundary dispute, in accordance with the Sections 18, 19 and 20 of the Land Registration Act, 2012. Further, that in ensuring fair determination of the dispute, the Land Registrar was guided by; Copies of the Certificate of Title of the disputed parcels of land; Green card for the disputed parcels of land; Registry Index Map (R.I.M); List of the Group ranch members if the land originated from the group ranch; Group Ranch Area List; The declaration for the group Ranch ; and Surveying materials from the office of the District Surveyor. They further relied on the case of **Azzuri Ltd v Pink Properties Limited (2015) eKLR** and insisted that the court should adopt the findings of the District Land Registrar of the site visit conducted on 12th April, 2017.

Defendants' Submissions

The Defendants submitted that the suit land is registered in the name of Joel Leuda Peter Orumoi (deceased) who died in 1992 upon which the 1st and 2nd Plaintiffs were appointed as administrators. Further, that the 1st and 2nd Plaintiffs confirmed in cross examination and re-examination that they discovered that the Defendants had encroached on the suit land in 1994 and filed a complaint with the District Land Registrar on the said encroachment. The Defendants contended that the Plaintiffs never produced any documents in court over a complaint filed with any administrative body for a period of 20 years from 1996 to 2016. Further, they failed to produce any evidence in court indicating that they objected to the construction of a learning and religious institutions on the suit land even after they become operational for over 10 years. They insisted the Plaintiffs were time barred from filing any complaint regarding the suit land in 2016 as they confirmed during the hearing that they were aware of the boundary dispute since 1994. They reiterated that the District Land Registrar could not purport to solve a land dispute out of the 12 years' time frame therefore making his report illegal. Further, the Plaintiffs' never produced any documentary evidence on any attempts made to evict Rombo Group Ranch from the suit land who have occupied it since 1968. They further submitted that the Land Registrar confirmed during his testimony that no evidence was produced in court that Rombo Group Ranch officials were served with Summons to appear during the survey neither was there violence as alleged by the Plaintiffs. The Defendants reiterated that Section 7 of the Limitation of Actions Act, bars the Plaintiffs who are the administrators of the estate of Joel Leuda Peter Orumoi from filing a complaint regarding the subject land dispute in 2016. To buttress their averments they relied on the case of **Mtana Lewa V Kahindi Ngala Mwangandi (2015) eKLR**.

Analysis and Determination

Upon consideration of the Plaintiff, Defence including Counterclaim, Testimonies of the Witnesses, Exhibits and Submissions, the following are the issues for determination:

- Whether the Plaintiffs are the registered proprietors of land parcel number Loitoktok/ Ol Karia/ 325.
- Whether the Defendants have trespassed on land parcel number Loitoktok/Olkaria/325 belonging to the estate of the late Joel Leuda Peter Orumoi.
- Whether the Plaintiffs are entitled to the Orders sought in the Plaintiff.
- Whether the Defendants are entitled to the Orders sought in the Counterclaim.
- Who should bear the costs

As to whether the Plaintiffs are registered proprietors of land parcel number Loitoktok/ Ol Karia/ 325. PW1 in her testimony explained that they applied for Letters of Administrators Intestate which was confirmed on 21st June, 1996 but rectified on 28th March, 2017. Further, that her late husband Joel Leuda Peter Orumoi owned the suit land which was a resultant subdivision of Loitoktok /Olkaria /68, from 1963 when the land was allocated to him. She explained that they reside thereon, have put structures and rear cows on it. They produced their Certificate of Title, Extract of Green Card and Certificate for Confirmation of Grant to prove these averments. The Defendants' witness DW1 never tendered any testimony to controvert the Plaintiffs' averments that the deceased owned the suit land. In line with the said averments, I wish to make reference to section 25 and 26(1) of the Land Registration Act which provides that: **25 (1) The rights of a proprietor, whether acquired on first registration or subsequently for valuable consideration or by an order of court, shall not be liable to be defeated except as provided in this Act, and shall be held by the proprietor, together with all privileges and appurtenances belonging thereto, free from all other interests and claims whatsoever, but subject— (a) to the leases, charges and other encumbrances and to the conditions and restrictions, if any, shown in the register; and (b) to such liabilities, rights and interests as affect the same and are declared by section 28 not to require noting on the register, unless the contrary is expressed in the register. (2) Nothing in this section shall be taken to relieve a proprietor from any duty or obligation to which the person is subject to as a trustee. 26. (1) The certificate of title issued by the Registrar upon registration, or to a purchaser of land upon a transfer or transmission by the proprietor shall be taken by all courts as prima facie evidence that the person named as proprietor of the land is the absolute and indefeasible owner, subject to the encumbrances, easements, restrictions and conditions contained or endorsed in the certificate, and the title of that proprietor shall not be subject to challenge, except— (a) on the ground of fraud or misrepresentation to which the person is proved to be a party; or (b) where the certificate of title has been acquired illegally, unprocedurally or through a corrupt scheme.'**

In the case of **Willy Kipsongok Morogo v Albert K. Morogo (2017) eKLR** the Court held that: **' the evidence on record shows that the suit parcel of land is registered in the names of the Plaintiff and therefore is entitled to the protection under sections 24, 25 and 26 of the Land Registration Act.'**

See also the case of **Christopher Kitur Kipwambok vs Vipulratilal Dodhia & 3 others (2013) eKLR**.

Based on my analysis above, while relying on the legal provisions I have cited as well as associating myself with the quoted decisions, I find that the Plaintiffs' Certificate of Title remains undisputed and is conclusive and prima facie evidence that they are indeed the registered including absolute proprietors of land parcel number Loitoktok/ Ol karia/ 325, with vested rights and interests therein. I further find that the Plaintiffs are indeed entitled to protection of the law in accordance with the provisions of section 24, 25 and 26 of the Land Registration Act.

As to whether the Defendants have trespassed on land parcel number Loitoktok/Olkaria/325 belonging to the estate of the late Joel Leuda Peter Orumoi.

It is not in dispute that the Plaintiffs are the administrators of estate of Joel Leuda Peter Orumoi that owned land parcel number Loitoktok/Olkaria/325. The Plaintiffs claim the Defendants have trespassed on the suit land which fact the Defendants dispute and insist the Plaintiffs claim is statute barred. The Plaintiffs in their reply to Defence and Defence to Counterclaim contend that they realized the Defendants had encroached on their land in 2010 and sought assistance from the elders but in vain. PW1 in her testimony claimed the Defendants have trespassed on the said suit land by destroying original land beacons, grazing livestock constructing a school, two churches and a water shed project and allocating a portion of the said land to their family members. The Defendants in their Counterclaim pleaded that they hold the land through adverse possession and the decision of the Principal Land Registrar, Kajiado dated 18th October, 2017 be set aside for contravening Section 7 of the Limitation of Actions Act.

DW1 in his testimony stated that Rombo Group Ranch had occupied the suit land in 1968 without any interruption or disputes from the late Joel Leuda Peter Orumoi or the administrators of his estate. He admitted that a portion of the suit land was allocated to the 4th, 5th, 6th and 10th Defendants to undertake projects that benefit the local community. Further, that the family of the late Joel Leuda Peter Orumoi only sought the intervention of the Kajiado District Land Registrar's over the land dispute 12 years after the legally provided time frame making such intervention inconsequential and the family never complained or opposed the construction of a primary school, two religious institution and a water project on the said suit land.

PW3 who was the Land Registrar Kajiado confirmed in his testimony that he had undertaken a resolution of a boundary dispute between LTK/Olkakaria/325 and Rombo Group Ranch and prepared a report dated 18th October, 2017. He proceeded to highlight his findings and confirmed that beacons shown by Rombo Group Ranch were not supported by Registry Index Map (RIM) and the beacons as fixed by the Ranch did not tally with the RIM using the suit land as point of reference. He determined that the boundary between the suit land and Rombo Group Ranch is the line marked C1 and C2 as shown in the Survey Sketch attached to his report. On perusal of the said report, I note officials of the Rombo Group Ranch including Peter Leuda, and Lemaron Ole Manyabera were present. I note the position of the beacons D2A was identified jointly by the parties present. Despite the fact that the officials of Rombo Group Ranch were present when the report was presented with the Land Registrar directing any aggrieved party to lodge an appeal within 30 days, I note no party did so, hence the report remains unchallenged.

The Defendants in their submissions insist they have acquired the suit land through adverse possession and that plaintiffs admitted knowledge of boundary dispute in 1991. I note DW1 never tendered any documentary evidence to prove the extent of the Plaintiffs' land which the Defendants occupied. Further, no other Defendant attended Court to tender evidence to demonstrate how they had acquired the

Plaintiffs' land through adverse possession. I opine that Rombo Group Ranch did not have capacity to allocate land to a third party which they did not own. Further, DW1 claimed Rombo Group Ranch had occupied suit land from 1968 but did not provide documentary proof to that effect. It is my considered view that since the boundaries between the Plaintiffs land and the Rombo Group Ranch had been general and could only be fixed after the Land Registrar had determined the same which he did. From the analysis of the evidence above, I find that the Plaintiffs and the Rombo Group Ranch simply relied on general boundaries as there was no evidence presented that specific boundaries had already been clearly demarcated. To my mind, parties were simply using approximations on where their respective boundaries were.

In the case of **Azzuri Limited v Pink Properties Limited [2017] eKLR**, it was held that: ‘ **In his paper, “The Role of the Registry Index Map (RIM) in Land Management in Kenya”, Peter K. Wanyoike has stated that the Registered Index Map is a very useful document in registration and management of land in Kenya within the context of “General Boundaries” or “approximate boundaries.”**

The paper defines “General Boundaries” as follows:

“A boundary of which the precise line is undetermined in relation to the physical features which demarcate it ... However, it is clear on the ground where the parcel is situated and where the boundaries are, for they are clearly visible and unmistakable physical features, though they do not indicate the exact location of the line within the breadth which such physical features necessary process.”

In the case of **Ali Mohamed Salim vs Faisal Hassan Ali (2014) eKLR**, this court held as follows:

“The type of survey that generated the Registry Index Map is what was known as “general boundaries” which has been defined in Section 18(1) of the Land Registration Act, 2012 to mean “the approximate boundaries and the approximate situation only of the parcel.” Indeed, most of the titles under the repealed Registered Land Act were issued on the basis of the general boundaries, meaning that such parcel of land had no fixed beacons. On the other hand, land registered under the Registration of Titles Act required a cadastral survey to be prepared, which is based on a fixed boundary principle. Such a survey has an accurate linear and angular measurements to aid the registration of a title of a plot. The boundaries of land registered under the Registration of Titles Act can easily be identified by any surveyor because of the fixed nature of its beacons.’

In the current scenario, I find that the boundaries between the Plaintiffs and Rombo Group Ranch had not been fixed. The provisions of section 18 and 19 of the Land Registration Act are clear in instances where the boundaries are not fixed, it is the Land Registrar mandated to fix the same. In this instance, the Principal Land Registrar together with the District Surveyor in the presence some officials from the Rombo Group Ranch as well as other parties, undertook his legal mandate and proceeded to the disputed site in 2017 and determined the said boundary and discovering that it is actually Rombo Group Ranch that had encroached on the Plaintiffs' land. The Defendants now insist they have acquired the said portion by adverse possession. I opine that the burden of proof was upon them to prove the period they entered the suit land, extent of occupation and whether their occupation is in line with the parameters to prove adverse possession to wit: they occupied the suit land openly, continuously, exclusively and notoriously. However, at this juncture, I must say, they failed to do so as required by section 107 of the Evidence Act. Further, since the extent of boundary of the Plaintiffs' land was just determined in 2017, I opine that the issue of adverse possession could not have arisen until the extent of the said boundary was known and time could only have begun to run after that. I further find that the prayer that the decision of the Principal Land Registrar, Kajiado contravened section 7 of the Limitation of Actions Act cannot stand as the Land Registrar's mandate is to determine the boundary dispute and is not bound by any period of Limitation.

From the averments of the Land Registrar and noting that section 26 of the Land Registration Act mandates him to be the one to determine the boundary which he undertook in this instance, and based on my analysis above, I find that the Defendants indeed encroached on the suit land. In the circumstance, I find that the Plaintiffs are indeed entitled to the orders sought in the Plaintiff while the Defendants who failed to appeal against the Ruling by the Land Registrar as required by law are not entitled to the orders sought in the Counterclaim and will proceed to dismissed it.

Who should bear the costs

Since the Plaintiffs are the inconvenienced parties, I will award them the costs of this suit.

It is against the foregoing that I find the Plaintiffs have proved their case on a balance of probability and will proceed to make the following final orders:

- a. A declaration be and is hereby issued that all that parcel of land known as Loitoktok/Olkaria/325 belongs to the estate of deceased Joel Leuda Orumoi to which the 1st and 2nd Plaintiffs are entitled to, as the beneficiary.
- b. An order of permanent injunction be and is hereby issued restraining the 1st ,2nd ,3rd, 4th, 5th, 6th, 7th ,8th ,9th and 10th Defendants by themselves or their agents and/ or servants from sub dividing, alienating, transferring and or interfering or in any way dealing with all that parcel of land known as Loitoktok/Olkaria/325.
- c. The report of the District Land Registrar – Kajiado dated 18th October,2017 be and is hereby adopted as the order of this Court.
- d. An order of eviction be and is hereby against the 1st ,2nd ,3rd, 4th, 5th, 6th, 7th ,8th ,9th and 10th Defendants from all that parcel of land known as Loitoktok/Olkaria/325 after Ninety (90) days from the date hereof and the Plaintiffs are at liberty to apply for it.
- e. The Officer Commanding Police division - Loitoktok and the Officer Commanding Ilasit Police Station be and are hereby directed to enforce the court orders/decrees.

f. Costs of the suit is awarded to the Plaintiffs.

g. Stay of execution of this Judgement is granted for Ninety (90) days from the date hereof.

DATED SIGNED AND DELIVERED AT KAJIADO VIRTUALLY THIS 26TH DAY OF JULY, 2021

CHRISTINE OCHIENG

JUDGE