

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAKURU

CIVIL CASE NO. 146 OF 2010.

RONALD MWANGI NJUGUNAPLAINTIFF /RESPONDENT

VERSUS

WANYOIKE GITONGA.....DEFENDANT /APPLICANT

RULING

1. Judgement was delivered in this matter on 10th November 2016 in favour of the applicant and the court directed the Land Registrar to effect changes in land parcel number **BAHATI/KABATINI BLOCK 1/228** which is registered in the name of the respondent herein. The said changes were to ensure that the applicant would be registered as the owner in trust for his family.
2. The respondent has failed to comply with the said judgement and decree which has necessitated the applicant to file this application dated **2nd June 2021** which it seeks the respondent to be punished for contempt and alternatively authorise the land registrar to effect the changes.
3. The application was not opposed despite the same coming before this court severally. The respondent clearly has failed to perform what the court directed and is hell-bent to frustrate the applicant from enjoying the fruits of the judgement.
4. For the forgoing reasons this court directs as hereunder.

a) The respondent should within 14 days after service of this order comply with the judgement and the decree of this court dated 10th November 2016.

b) In default of (a) above the Land Registrar Nakuru county shall effect changes to the register by cancelling the name of the respondent Ronald Mwangi Njuguna and replacing it with the applicant Wanyoike Gitonga and issue him with a fresh title deed.

c) The applicant shall have the costs of this application.

Dated signed and delivered via Nakuru via video link this 4th day of November 2021.

H. K. CHEMITEI.

JUDGE