



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT CHUKA
CIVIL APPEAL NO 22 OF 2013

NJERU MUGERA.....APPELLANT/RESPONDENT

VERSUS

EMINAH NKIROTE NJAGI.....RESPONDENT/APPLICANT

R U L I N G

This application is dated 6th April, 2016 and seeks orders:-

1. ***That the Court be pleased to direct the Officer commanding Station, Chuka Police Station to provide security during sub-division of parcel land No. MAGUMONI/MUKUUNI/313 as per the orders of the Court.***
2. ***That Costs of this Application be provided for.***

The application is supported by the Affidavit of JEMIMAH NKIROTE NJAGI and has the following grounds:-

1. ***That the Respondent is currently registered proprietor of L.R MAGUMONI/MUKUUNI/313.***
2. ***That the Court vide Chuka PMCC NO. 20 of 2007 held that the Applicant is entitled to one half of parcel of Land NO. MAGUMONI/MUKUUNI/313.***
3. ***That the High Court vide MERU HCCA NO. 22 of 2013 upheld the decision of the lower court.***
4. ***That the Court further held that in the event the Respondent does not cooperate in the implementation of the lower Court decision, the Executive Officer should sign all the necessary documents.***
5. ***That the Land Control Board has already granted Consent to the Sub-division.***
6. ***That the Respondent is very hostile and has sworn not to permit the parcel of land in issue to be sub-divided on the ground.***
7. ***That it is therefore proper that the security is provided during Sub-division of the land in issue.***

I find that the application seeks to implement the Judgment of the Court. The application is allowed. It is ordered as follows:-

1. ***The Officer Commanding Station, Chuka Police Station is ordered to provide***

security during Sub-Division of Land Parcel No. MAGUMONI/MUKUUNI/313 to allow for the implementation of this Court's Orders.

2. Costs are awarded to the applicant , Jemimah Nkirote Njagi.

3. It is so ordered.

DELIVERED IN OPEN COURT AT MERU THIS 12TH DAY OF MAY, 2016 IN THE PRESENCE OF:

Cc:Lilian/Daniel

P.M. NJOROGE

JUDGE