



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL CASE NO 114 OF 2000

LAWRENCE MBITI RUTEREPLAINTIFF

VERSUS

M'ITONGA MURUITHANIA.....DEFENDANT

RULING

This application is dated 23rd January, 2015 and seeks Orders that:-

1. *That this Honourable Court be pleased to issue orders for the removal of the cautions, inhibitions, and restrictions registered against L.R ABOGETA/UPPER-KIUNGONE/2283 on 6th February, 2001.*
2. *That the costs of this application be in the cause.*

It has the following grounds:-

- a. *That this case was dismissed on 23rd November, 2013.*
- b. *That the suit having been dismissed it is only fair and just to remove the cautions, inhibitions, and restrictions registered against L.R. No. ABOGETA/UPPER-KIUNGONE/2283 on 6th February, 2001*
- c. *That the removal of the inhibition will not prejudice the defendant/respondent at all.*
- d. *That it is only fair and just that the Orders sought herein be granted.*

It is also supported by the affidavit of LAWRENCE MBITI RUTERE, the applicant.

I have carefully considered the application and I do find that it has merit.

I grant the following Orders:-

1. *The Caution, inhibition and Restriction registered against Parcel No. ABOGETA/UPPER-KIUNGONE/2283 be removed forthwith and the Land Registrar to effect the implementation of this Order.*
2. *Costs shall be in cause.*

It is so ordered.

Delivered in Open Court at Meru this 1st day of July, 2015 in the presence of:

CC: Daniel /Lilian

Kiogora Arithi for the Plaintiff

Otieno C. holding brief D.J Mbaya for Defendant.

P.M. NJOROGI

JUDGE