



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**

**HCC 103 OF 2010**

**THAMBU MUKUNGA.....PLAINTIFF**

**VERSUS**

**TOWN COUNCIL OF CHOGORIA ALIAS CHOGORIA TOWN COUNCIL.....DEFENDANT**

**R U L I N G**

This application is dated 6.10.2014 and seeks the following orders.

1. ***THAT the application be certified urgent and it be heard ex-parte on priority basis.***
2. ***THAT the inhibition registered against L. R. No. Mwimbi/Chogoria/501, pursuant to the order of the court in a ruling dated and delivered herein on 13.04.2011 be lifted, to facilitate effective transfer of afore-said land in terms of the judgment delivered herein on 31.07.2014.***
3. ***THAT cost of the application be in the cause.***

It is predicated upon the following grounds.

1. ***THAT the plaintiff/applicant is over 76 years old and is quite decrepit due to sickness.***
2. ***THAT the plaintiff/applicant is hypertensive and his medical condition is deteriorating.***
3. ***THAT counsel for the defendant/respondent has signed consent to the prayer sought.***
4. ***THAT it is in the interest of the parties herein and justice, that this matter be urgently settled.***
5. ***THAT the court is encouraged to promote settlement of disputes by consent of parties.***

The application is simply meant to facilitate the implementation of a consent judgment adopted by this court and delivered on 31.7.2014. In the circumstances, I allow the application.

It is so ordered.

**Delivered in Open court at Meru this 7th day of October, 2014 in the presence of:**

Daniel/Lilian

Calpeters Mbabu for Applicant

**P. M. NJORGE**

**JUDGE**