



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
ELC NO.255 OF 2013

JOSPHAT KIRIGIA M'ITURA.....PLAINTIFF

VERSUS

MOHAMMED ABDI MUTHEE.....DEFENDANT

R U L I N G

This application is dated 24th September, 2013. It seeks orders:

- A. **THAT** the Hon. Court be pleased to certify this application as urgent and dispense with its service in the first instance.
- B. **THAT** the Hon. Court be pleased to issue an order of **INHIBITION** to inhibit any dealing with parcel **1043/ANTUBETWE/KIONGO ADJ. SECTION** until this application is heard inter partes.
- C. **THAT** that the Hon. Court Be pleased to restrain the defendant from interfering with the peaceful occupation of parcel No.**1043/ANTUBETWE/KIONGO ADJ. SECTION**.
- D. **THAT** the Hon. Court be pleased to confirm prayer B and C above until this suit is heard and determined.
- E. **THAT** the defendant do bear the costs of this application.

An interim order of inhibition was granted on 26.9.2013.

The application was heard inter partes on 5.3.2014.

Despite evidence of service the plaintiff failed to come to Court.

Prayer 1 is spent.

The application, which is unopposed is allowed. Costs are awarded to the plaintiff.

Deliverd in Open Court at Meru this 5th day of March, 2014 in the presence of:

Cc. Daniel

Ogoti for the plaintiff

P. M. NJORGE

JUDGE