



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KAKAMEGA

CIVIL CASE NO. 10 OF 2011

NGOME NATALA PLAINTIFF

VERSUS

1. BULETI NGAIRA

2. RACHEL NGAIRA

3. SHIRO NGAIRA

4. GLADYS MACHUMA MUSOTSI

5. MULUPI BULETI

6. PHILIP BULETI.....DEFENDANTS

7. CHARLES BULETI

8. RUTH INJETE

9. HON. ATTORNEY GENERAL FOR

REGISTRAR OF LANDS KAKAMEGA

10. REUBEN CHIBOLE

AND

WEST KENYA SUGAR CO. LTD. INTERESTED PARTY

RULING

Before me is an application dated 8th August 2013 brought by the plaintiff by way of Notice of Motion seeking interim injunctive orders pending the hearing of the suit.

The application was brought under Order 40 rules 1 and 2 of the Civil Procedure Rules and Section 63 (e) of the Civil Procedure Act (Cap. 21).

On the hearing date Mr. Ondieki for the plaintiff, Mr. Amasakha for the 1st to 8 and 10th defendants,

and Mr. Onyiso for the 9th defendant appeared in court. Mr. Ondieki for the plaintiff stated that the application did not affect the 9th defendant. Mr. Amasakha for the 1st to 8 and 10th defendants stated that the interim orders already in place could continue to be in force.

In effect, the application is not opposed. Consequently, I allow the application and grant prayer 3 and 4. The costs of the application will be in the cause, as the main case is still pending.

Dated and delivered at Kakamega this 12th day of June, 2014

George Dulu

J U D G E