



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**  
**CIVIL CASE NO. 4 OF 2013**

AFRICAN AVENGELICAL PRESBYTERIAN CHURCH.....PLAINTIFF

VERSUS

REV. MOSES MWITHALII.....1ST DEFENDANT

MUTUNDA EDUCATION CENTRE.....2ND DEFENDANT

**J U D G M E N T**

In its plaint the plaintiff sought orders for:

1. **A permanent injunction restraining the 2nd defendant from trespassing or in any way taking possession and/or occupation of the plaintiff's premises situated at land parcel No. Amwathi/Maua/2048.**
2. **General damages for trespass.**
3. **The Costs of this suit and interest thereupon.**

On 8.7.2014, the parties presented a consent whose terms they prayed the court to adopt as an order of the Court. The Consent was in the following terms:

**“By consent of the parties herein and their counsels the suit  
herein be marked as withdrawn with no orders as to costs”**

The consent was signed by the firm of Mokuia Obiria, Associates for the plaintiff,  
and by the firm of Meenye Kirima and Co. Advocates for the defendants.

The consent terms are adopted as an order of this Court. The matter is marked withdrawn and the parties may not bring it back to Court.

It is so ordered.

**Delivered in Open Court at Meru this 8th day of July, 2014 in the presence of:**

Cc. Lilian

Mutunga h/b Mokuu for plaintiff.

Gikunda Anampiu h/b Kirima for defendants.

**P. M. NJOROGE**

**JUDGE**