

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
E & L CASE NO. 137 OF 2013

MAKUNYI RWANDA.....APPLICANT

VERSUS

RUTH KARAUKI AYUB.....DEFENDANT

R U L I N G

This application is dated 14th May, 2014 and seeks orders that:

1. ***An order of Inhibition against the registration of any dealings with land parcel No. SOUTH THARAKA/TUNYAI/'A'/218 be issued pending the hearing and determination of this suit or until further orders by the honourable court.***
2. ***Costs be in the cause.***

Hearing of the application could not proceed as the defendant/respondent lives in the USA and the applicant has found it difficult to trace and serve her. The order for Inhibition is only meant to preserve the suit land until the suit is heard and determined.

In order to prevent the ends of justice from being defeated, I invoke Section 63 (e) of the Civil Procedure Act to allow the application.

Costs shall be in the cause.

Delivered in Open Court at Meru this 14th day of October, 2014 in the presence of:

Cc. Lilian/Daniel

Gatare Ringera for the Applicant

P. M. NJOROGE

JUDGE