



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
HCC 240 OF 1992

STEPHEN IKIAO.....PLAINTIFF

VERSUS

M'ITARU M'THANKARI M'IKIAMBA.....DEFENDANT

RULING

This application is dated 21st November, 2011 and seeks orders:

1. ***THAT the inhibition orders entered in respect of land parcel known as L. R. Mikinduri/Athwana/724 be lifted.***
2. ***THAT the costs of this application be provided for.***

It relies on the following grounds.

- (a) ***THAT the Respondent applied for and obtained inhibition orders in respect or L.R. Mikinduri/Athwana/724 in Meru HCCC No. 240 of 1992.***
- (b) ***THAT the said orders were to last until hearing and final determination of the said Meru HCCC No. 240 of 1992.***
- (c) ***THAT the said suit was heard and determined on 2nd July, 2010 when the Respondent's suit was dismissed with costs.***
- (d) ***THAT it is in the best interest of justice that the inhibition orders lodged on 8th September, 2004 be lifted as their purpose has already been met.***

As the applicant, who was the Respondent in the Court of appeal, won his case and a judgment was delivered in March 2014, I find that at this stage this application is merely facilitative. In the circumstances, the application is allowed.

Costs are awarded to the applicant.

Delivered in Open court at Meru this 2nd day of October, 2014 in the presence of:

Cc Daniel

Maganga for Applicant

P. M. NJOROGI

JUDGE