



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL SUIT NO. 140 OF 2010

METHODIST CHURCH IN KENYA TRUSTEES REGISTERED.....PLAINTIFF.

VS

HENRY KIRIMI MUKIRA.....1ST DEFENDANT

CHIEF JOSHUA MWIKUMI NTARAGWI.....2ND DEFENDANT

SAMUEL KARUGU NGARI.....3RD DEFENDANT

JUDGMENT

In his plaint dated 10th November, 2010, the plaintiff prays for Judgment against the defendants jointly and severally for;

1. ***A declaration that Land Parcel Nyaki/Chugu/431 is reserved for construction of a nursery school.***
2. ***A declaration that the plaintiff is the lawful claimant to Land Parcel No. Nyaki/Chugu/431.***
3. ***An order of permanent injunction restraining the defendants, by themselves, their servants and/or agents from entering, constructing, transferring or in any way interfering with the plaintiffs use and occupation of L.R No. Nyaki/Chugu/431.***
4. ***Costs and interest.***
5. ***Any further or better relief this honorable Court may deem fit to grant.***

On 4/11/2014, Mr Kurauka informed the court that the parties had on 24/6/2014 signed a consent which they wanted this court to adopt as its order. Mr Manases Kariuki holding brief for Kiogora for the 1st and 3rd defendants and Mr Kioga representing the 2nd defendant supported this position.

The consent is in the following terms.

“By consent this suit be and is hereby marked as withdrawn. Each party is to bear its own costs”.

This consent is adopted as an order of this court. This suit is marked withdrawn and settled. The parties may not bring it back to court.

It is so ordered.

Delivered in open court at Meru this 4th day of November, 2014 in the presence of.

Cc. Arimi/Lilian.

Kurauka holding brief for Rimita for Plaintiff.

Manases Kariuki holding brief for 1st and 3rd Defendants.

Kiongo for 2nd Defendant.

P M NJOROGI

JUDGE