



**REPUBLIC OF KENYA**

**High Court at Meru**

**Environmental & Land Case 185 of 1996**

**JOSPHAT KARANI.....PLAINTIFF**

**VERSUS**

**AGNES THIRINDI.....DEFENDANT**

**R U L I N G**

This application was brought to Court by way of Chamber Summons and premised on Order 9 Rule 13 (1) of the Civil Procedure Rules 2010, Cap 21 Laws of Kenya.

The application sought Orders:

1. **THAT** the honourable Court be pleased to make an order that the firm of M/s Nyagah & Co. Advocates be allowed to withdraw and cease from acting for the Defendant herein.
2. **THAT** costs of this application be provided for.

On 29/4/2013, Mr. B. G. Kariuki for the plaintiff and Mr. Nyamu Nyagah for the defendant intimated that they had consent terms they wished recorded and adopted by the Court. They submitted to the Court their consent which they had duly signed.

The Court duly adopted the said terms. This ruling, is therefore, merely a formal declaration of the adoption of the consent terms. In the circumstances, I pronounce that the apposite consent terms have been adopted as follows:

1. By consent, the application dated 12th October is hereby allowed and the firm of M/s Nyamu Nyagah & Co. Advocates ceases from acting for the defendant.
2. Costs be in the cause.

I note that a judgment in this suit was delivered by the Hon. Lady Justice Mary Kasango, Judge, on 28th May, 2010. Unless the defendant appealed, and there is no evidence that an appeal has been filed, the said judgment is deemed to have concluded all issues germane to the suit herein.

**Dated and Signed at Meru this 30th day of April 2013.**

**P. M. NJOROGE  
JUDGE**

**Delivered in Open Court on 10<sup>th</sup> day of May 2013 at Meru in the presence of:**

For Appellant/Applicant

For Defendant Respondents

**P. M. NJORGE**

**JUDGE**