



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
E & L CASE NO 200 OF 2013 (OS)

LYDIA NKIROTE ONESMUS.....1ST PLAINTIFF
VIRGINIA KITHURE MUTWIRI.....2ND PLAINTIFF
BETTY KARABAI JAMES.....3RD PLAINTIFF
JOYCELLEEN WANJA CHARLES.....4TH PLAINTIFF
ROSEBETH KAROKI MBOGORI.....5TH PLAINTIFF
ESTHER KANANU MBOGORI.....6TH PLAINTIFF

VERSUS

ARTHUR MURIITHI MBOGORI.....DEFENDANT

R U L I N G

This application is dated 18th July, 2013 and seeks orders that:

1. **THAT this application be certified as being urgent and service of the same be dispensed with in the first instance.**
2. **THAT prayers number 3 and 4 hereof be granted *ex parte* in the first instance.**
3. **THAT pending the hearing and determination of this application or until further orders of this Court and for the ends of justice this Honourable Court be pleased to grant a temporary order of inhibition, inhibiting registration of any dealing with parcels of land L. R. NOS.ABOGETA/U- KITHANGARI/2217, 2218 and 2352.**
4. **THAT a copy of the Court order issued in terms of prayer (3) above under the seal of this Honourable Court be served upon the District Land Registrar, Meru Central for registration in the appropriate registers.**
5. **THAT pending the hearing and determination of the substantive suit and for the ends of justice this Honourable Court be pleased to grant a temporary order of inhibition, inhibiting registration of any dealing with parcels of land L.R. NOS.ABOGETA/U-KITHANGARI/2217, 2218, AND 2352**
6. **THAT there be such other order as this Honourable Court deems fit and expedient in the aid of justice.**

7. **THAT the costs of this application be provided for.**

Orders 1, 2, 3 and 4 are spent.

The application was fixed for Inter Parties Hearing on 21.8.2013. During the hearing, the advocate for the applicants urged the Court to allow the application as the defendant was not present in Court even though he had been properly served. He referred the Court to the Affidavit of service duly filed in Court.

In the circumstances, the application is allowed with the effect that Prayer 5 is confirmed.

Delivered in Open Court at Meru this 4th day of October, 2013 in the presence of :

Cc. Mwonjaru/Daniel

Muthomi present for Plaintiffs/Applicants

P. M. NJOROGE

JUDGE