

REPUBLIC OF KENYA

High Court at Malindi

Miscellaneous Application 8 of 2011

CAPOTERRA FOR AFRICA LIMITED.....PLAINTIFF

VERSUS

REGISTRAR OF TITLES, MOMBASA.....DEFENDANT

RULING

Having carefully considered the pleadings herein, the respective affidavits and submissions filed in respect of the Notice of Motion filed on 11th March, 2012 I am persuaded that the said Notice of Motion is merited for granting. I do therefore allow the Notice of Motion in terms of prayers 1, 2 and 3 with costs to the 4th Interested Party.

Full reasons for this decision will be read on 6th December, 2012 at 2.30pm.

Delivered and signed this **5th** day of **November, 2012** in the presence of Ms. Baraza for 1st Interested Party, Mr. Mola holding brief for Mr. Kaguchia for 4th Interested Party, other parties absent.

C. W. Meoli
JUDGE

COURT

Certified copies of ruling be supplied.

C. W. Meoli
JUDGE