

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELC CASE NO. 41 OF 2018

ESTHER KANUGU MURIUNGI..... PLAINTIFF

VERSUS

JOHN MBAABU MWITHIMBU..... 1ST DEFENDANT

CHARLES GATOBU MWITHIMBU..... 2ND DEFENDANT

RULING

1. Vide an application dated 15.10.2018 applicant/plaintiff is seeking orders of inhibition restraining any dealings in land parcel Ntirimiti/settlement Scheme/1210 until the suit is heard and determined. She is also seeking orders restraining the defendant from evicting her from the aforementioned suit parcel until the case is heard and determined. The application has a rather lengthy supporting affidavit.

2. When the application came up for hearing on 20.3.2019 the 1st defendant was present, but not the second defendant. The 1st defendant informed the court that he would not file any defence and he would not participate in the matter either.

3. I find that the application stands an opposed. As such, the same is allowed as drawn.

DATED, SIGNED AND DELIVERED IN OPEN COURT AT MERU THIS 25TH DAY OF APRIL, 2019 IN THE PRESENCE OF:-

C/A: Kananu

Ashaba holding brief for Kithaka for applicant

Plaintiff

1st defendant

HON. LUCY. N. MBUGUA

ELC JUDGE