



- i. LR NO. ABOGETA/LOWER KITHANGARI/599
- ii. ABOGETA/UPPER/KIUNGONE/1039
- iii. ABOGETA/UPPER KIRINGA/561
- iv. ABOGETA/LOWER KIUNGONE/516
- v. ABOGETA/UPPER KIUNGONE/1041
- vi. ABOGETA/LOWER KITHANGARI/816
- vii. ABOGETA/LOWER KIUNGONE/560

4. The Land Registrar, Nkubu Lands Registry, do forthwith give effect to the said orders and cancel the entries of inhibition against the above mentioned titles.
2. The application is predicated on the grounds on the face of it and supported by an affidavit sworn by Charles Muchui Mugwika, the Applicant's appointed liquidator, on even date. He averred that the court issued orders of inhibition on the aforementioned societies' properties on 20/7/2007 pending the hearing and determination of the said suit. The said suit has since been heard and determined, and it is therefore imperative that said orders are lifted so that the liquidation process and settlement of the creditors' debts, inclusive of the Respondents, can be finalized, within the 6 months decreed by the Commission for Co-operative Development, and prayed for grant of the orders sought in the interest of justice.

3. The application was not responded to.
4. The application was canvassed by way of written submissions, which were only filed by counsel for the Applicant.

### **Determination**

5. Having considered the application and the submissions, I find the issue for determination to be whether the orders sought ought to be issued.
6. On 11/11/2025, Mr. Asamba holding brief for Ms. Kaume for the Respondents intimated to court that they would be conceding to the application once they had received instructions from their clients to execute the consent dated 17/11/2025.
7. The said consent was subsequently filed in court on 18/11/2025, duly executed by counsel for both parties in the following terms; ***“By CONSENT of the parties and their Advocates, the Notice of Motion dated 25<sup>th</sup> September 2025, be and is hereby allowed in its entirety.”***

8. I appreciate the Liquidator's willingness to complete the settlement of the Applicants' debts, inclusive of the Respondents, within 6 months, if granted any opportunity to do so.
9. In keeping with the overriding objectives under sections 1A and 1B of the Civil Procedure Act, I find that the application is merited and it is hereby allowed in its entirety in terms of the consent order dated 17/11/2025.

**DATED AND DELIVERED AT MERU THIS 29<sup>TH</sup> DAY OF JANUARY, 2026.**

**S.M. GITHINJI**  
**JUDGE**

**APPEARANCES:**

Ms Mutema holding brief for Mr. Ariithi for the Defendant/Applicant.

Ms. Kaume for the Plaintiff (absent).