

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KIAMBU

CIVIL SUIT NO.E010 OF 2024

ROSE NJERI NJAU 1ST PLAINTIFF/RESPONDENT
JULIUS GAKUU P/ MBUGUA 2ND PLANTIFF/RESPONDENT

VERSUS

SUMAC MICROFINANCE BANK LIMITED...1ST DEFENDANT/APPLICANT
LAND REGISTRAR, KIAMBU COUNTY 2ND DEFENDANT/APPLICANT
CENTRAL BANK OF KENYA 3RD DEFENDANT/APPLICANT
THE HON. ATTORNEY GENERAL 4TH DEFENDANT/APPLICANT

RULING ON CONSENT

1. I have checked the Court Tracking System (CTS) and established that the directions on filing of the executed copy of **Consent** dated 3rd December, 2025 between both counsel for the parties have been complied with.
2. Consequently, pursuant to the request by counsel for the parties herein vide a **Consent Order** dated 22nd January, 2026, the said Consent is adopted as an order of this Court as follows:-

a) That the 1st Defendant shall within fourteen(14) days upon adoption of this Consent pay to the 1st Plaintiff Kenya Shillings One Million (Kshs.1,000,000/=) in full and final settlement of the

claim forming the subject matter of this suit.

b) That, upon adoption of the Consent as an order of the court, the 1st Defendant shall discharge all liabilities arising from overdraft amount and loan, account in the name of the 1st Plaintiff arising from:-

- i. Letter of Offer dated 31st December, 2020.*
- ii. Letter of Offer dated 6th April, 2021.*
- iii. Letter of Offer dated 19th July, 2021.*
- iv. Letter of Offer dated 13th February, 2023.*

c) That within fourteen (14) days of adoption of the Consent by the Court, the 1st Defendant Bank shall duly execute and release the executed discharge of charge together with the original title deeds to the 1st Plaintiff for the following parcels;

- i. LR.Githunguri/Githunguri/4527*
- ii. LR. Ruiru/Ruiru East Block 7/1461*
- iii. LR. Kiambaa/Kanunga/1478*

d) That within fourteen (14) days of adoption of the Consent by the court, the 1st Defendant Bank shall lodge a request for the removal of the 1st Plaintiff listing with the Credit Reference Bureau (CRB) (marked as settled) to the facilities referred to in Clause No.(B) above.

- e) *That within fourteen (14) days of the adoption of this Consent, the Plaintiff shall formally withdraw the complaint lodged with the Banking Fraud Investigation Unit (BFIU) relating to the matter herein and the BFIU IF No.29 of 2025 and shall provide written confirmation of the said withdrawal to the 1st Defendant.*
- f) *That upon adoption of the Consent, this suit shall stand withdrawn with no orders as to court and the parties have no further claim against each other arising out of or in connection with the subject matter of this Court.*
- g) *That, in any event of material default by either parties I complying with the terms of this Consent, each party shall be at liberty to apply to the court for appropriate relief, including enforcement of this Consent.*

THIS CONSENT is ADOPTED THIS23RD ...DAY OFJANUARY....., 2026.

D. O. CHEPKWONY
JUDGE

In the presence of:

Court Assistant – Sakina/Martin

Mr. Munene counsel for the 1st Defendant