



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT KITALE

LAND CASE NO. 16 OF 2019

NAOMI KITUR RONO.....PLAINTIFF

VERSUS

JAMES PASKWONY.....DEFENDANT

JUDGMENT

1. By a plaint dated **15/2/2019** and filed in court on **20/2/2019** the plaintiff sought the following orders against the defendant:-

- a. A declaration that the plaintiff is the absolute proprietor of the suit land and that the defendant is a trespasser thereon.**
- b. An order of eviction that the defendant, his agents, servants and all persons claiming through the defendant from the suit land.**
- c. The cost of the suit.**
- d. Any other relief which this court may deem fit and just to grant.**

2. The plaintiff's claim is that she is the absolute registered proprietor of land title No. **West Pokot/Siyoi 'A'/4302** measuring approximately **0.209 Hectares** upon which the defendant has encroached, claiming ownership of the entire suit land without colour of right. Despite demand the defendant has refused to vacate the suit land.

3. This suit proceeded *ex-parte* when the defendant failed to file appearance or defence after being served with summons as evidenced by the affidavit of service of Jackson Nyongesa, Simiyu, Court Process Server, sworn on **27/3/2019**. At the hearing the plaintiff produced a certified copy of her title for **West Pokot/Siyoi 'A'/4302**. The same was issued on 19/4/2013 and bears her sole name and identity card number.

4. As the plaintiff's case is unopposed I hereby grant judgment in her favour against the defendant as prayed in **paragraphs (a) (b) and (c)** of the plaint.

Dated, signed and delivered at Kitale on this 24th day of October, 2019.

MWANGI NJOROGI

JUDGE

24/10/2019

Coram:

Before - Mwangi Njoroge, Judge

Court Assistant - Picoty

Mr. Bisonga for the plaintiff

N/A for the defendant

COURT

Judgment read in open court.

MWANGI NJOROGE

JUDGE

24/10/2019