

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT MERU

ELC CASE NO. 80 OF 2002

MARY NTIBA (Suing as a legal representative of the estate of

MALIAMU NCURUBI M'IBIRI).....PLAINTIFF/APPLICANT

VERSUS

FRANCIS M'IMANYARA M'RINGERA....DEFENDANT/RESPONDENT

RULING

1. The application before me dated 13.12.2018 seeks orders that the orders of inhibition, prohibitions, caution or restriction placed against the suit land Nyaki/Kithoka/2455, 2456,2457,2458 and 2459 be lifted forthwith and costs be in the cause.
2. The grounds in support of the application are that the orders of inhibition prohibition or caution were registered by the plaintiff/applicant against the suit land to subsist pending the hearing and determination of the suit. The suit was however determined on 17.2.2011.
3. Applicant has sworn an affidavit in support of the application where he has availed copies of certificate of search in respect of parcels numbers Nyaki/Kithoka 2455, 2456, 2457, 2458 and 2459 whereby it is clear that the land is encumbered.
4. **The application is unopposed and I hence allow the same with no orders as to costs.**

DATED, SIGNED AND DELIVERED IN OPEN COURT AT MERU THIS 7TH DAY OF NOVEMBER, 2019 IN THE PRESENCE OF:-

C/A: Kananu

Mwanzia holding brief for Mithega for plaintiff

Nyaga Nyamu holding brief for Rimita for defendant

HON. LUCY. N. MBUGUA

ELC JUDGE