

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT
AT KITALE
LAND CASE NO. 101 OF 2015

JACKSON NANGIRO LIMARENG.....PLAINTIFF

VERSUS

PETER LODIOLEM.....1ST DEFENDANT

DAVID JUMA ALUKULEM.....2ND DEFENDANT

WILLIAM ATODO.....3RD DEFENDANT

R U L I N G

The plaintiff has brought an application dated 17/1/2017. He seeks an order that a temporary injunction be issued restraining the defendants/respondents their servants and/or agents from trespassing upon, cutting trees, fencing, erecting structures and/or in any other way interfering with the plaintiff/applicant's possession of seventy five (75) acres on Kongelai Group Ranch, West Pokot County pending the hearing and determination of this suit.

The application though served is not opposed. The plaintiff/applicant has exhibited photographs showing the damage that has been inflicted on the land that he claims in the Ranch. In his plaint the plaintiff avers that he has resided on the subject land since he was born. He states that he is the son to Joseph Limareng Lokomom (deceased) who was a shareholder and member of the Kongelai Group Ranch, and that the 1st defendant has now issued him with a notice to vacate the premises. Despite service of summons the defendants have not filed any defence to the claim. In the circumstances, the application dated 17/1/2017 is merited and prayer No.1 is granted. Costs shall be in the cause.

Signed, dated and delivered at Kitale on this **17th** day of **March 2017**.

MWANGI NJOROGE

JUDGE

In the presence of:

Ms. Arunga for the Plaintiff/Applicant

N/A for defendant/Respondent

MWANGI NJOROGE

JUDGE

17/3/2017