

REPUBLIC OF KENYA.

IN HIGH COURT OF KENYA AT BUNGOMA.

ENVIRONMENT AND LAND CASE NO. 219 OF 2014.

PROF. SIMIYU WANDIBA.....PLAINTIFF

VERSUS.

ELIAS MAKHANU JUMA.....DEFENDANT

JUDGMENT.

[1]. Judgment in this case was entered by the Deputy Registrar. On 22/12/2015. The case came up for formal proof on 13th March 2017. Prof. Simiyu Wandiba gave evidence and said that he will rely on his statement filed in Court. He produced agreements dated 16/5/88, 2/7/88, and 30/7/88 and official search of 1995. He prayed that the court to assist him to conclude the Sale to enable him to get his title of his land measuring one acre. This land was to be hived off from East Bukusu/South Kanduyi/15660.

[2]. Judgment having been entered on 22/12/2015 by the Deputy Registrar. I have now perused the documents produced by the plaintiff and I am satisfied that the plaintiff has proved his case on balance of probabilities. His prayers are allowed as prayed in the plaint.

Judgment read in open Court.

DATED at BUNGOMA this 18th day of May, 2017.

S. MUKUNYA

JUDGE.

In the presence of:

Joy: Court Assistant

Mrs. Chunge: Holding brief for Mr. Sichangi for the Defendant

Plaintiff

Defendant: Absent