

REPUBLIC OF KENYA.

IN THE HIGH COURT OF KENYA AT BUNGOMA.

LAND AND ENVIRONMENT COURT.

CIVIL SUIT NO. 200 OF 2014.

ROSELYNE KIMONO OSOROME.....PLAINTIFF

VERSUS.

GODFREY KABIRBEI NAIBEL.....1ST DEFENDANT

BELTINA CHEMUTAI WELINGTON.....2ND DEFENDANT

JUDGMENT.

[1]. The Plaintiff is the owner of land Parcel Elgon /Chemoge/704. The land comprises of 1.79 Ha. She claims in her plaint that the defendants herein unlawfully interchanged sections of her land during Subdivision and that the defendants have unlawfully trespassed into LR. No. Elgon/Chemoge/704 and have occupied part of it by putting structures therein. She set out particulars of such trespass in her claim. She produced a copy of the title deed for her land Elgon/Chemoge/704 a copy of the Map of the area and a letter from the Chief of the area.

[2]. The defendants were served and there was a return of service of the Hearing Notice in the Court file. There was no appearance and or defence from the defendants. The allegations of the plaintiff were unchallenged. I enter Judgment for the Plaintiff as prayed with costs. The defendants shall be evicted from land parcel Elgon/Chemoge/704 as prayed.

Ruling read in Open Court In the presence of 2nd Plaintiff.

DATED at BUNGOMA this 3rd day of October, 2017.

S. MUKUNYA

JUDGE

In the presence of:

Court Assistant: Gladys/Joy

Plaintiff: Absent

1st defendant – absent/dead

2nd defendant – Present

Ruling Notice served