

REPUBLIC OF KENYA.

IN THE HIGH COURT OF KENYA AT BUNGOMA.

ELC CASE NO. 58A OF 2017.

HAJI ABDUL WEKESA MAUNGO.....PLAINTIFF

VERSUS.

DAVID KILONGI MASINDANO.....1ST DEFENDANT

MATANDA FRED WEKESA.....2ND DEFENDANT

MUTULI SAMSON.....3RD DEFENDANT

PAUL SANYANDA.....4TH DEFENDANT

JUDGMENT.

[1] The plaintiff Haji Abdul Wekesa Maungo is the registered owner of Land parcel North Malakisi/South Wamono/843. He was registered as owner on 9/4/2002 and was issued with a tile deed on the same date.

The defendants herein entered his land and occupied a portion of 6½ acres in the year 2002. He sent them a demand notice to vacate and move out but they have refused to do so. He then filed this suit for eviction against the defendants. The defendants were served with the pleadings and a return of service was filed in Court on 24/7/2017. The defendants did not file their appearance and/or defence inspite of service. This case was fixed for hearing on 7/12/2017 and the defendants were duly served. On the date of hearing the defendants did not attend. The plaintiff then formally proved his case.

[2] There is no opposition to the prayers of the plaintiff and they are allowed. The defendants shall be evicted from the suit land by the court brokers of the Court with the assistance of the In-charge O.C.S Malakisi Police Station. The plaintiff shall also have costs of the suit.

It is so ordered.

Dated at Bungoma this 18th day of December, 2017.

S. MUKUNYA

JUDGE.

In the presence of:

Hon. S. Mukunya (Judge)

Gladys: Court Assistant

Plaintiff – Present In Person