



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

PETITION NO 33 OF 2016

IN THE MATTER OF ENFORCEMENT FUNDAMENTAL RIGHTS AND FREEDOMS OF THE INDIVIDUAL

AND

IN THE MATTER OF LAND PARCEL NOS. 474, 11589 AND 8118

ANKAMIA ADJUDICATION SECTION

PATRICK MUNGIRIA M'AKAIBUA

(PETITIONING AS THE ADMINISTRATOR OF THE ESTATE OF ITIRIKIA ETHAIBA (DECEASED).....PETITIONER/APPLICANT

VERSUS

SIMON ITHAIBA ITIRIKIA.....1ST RESPONDENT

JOSEPH MICHUBU GITIRIKIA.....2ND RESPONDENT

GEORGE MUGAMBI MAINGI.....3RD RESPONDENT

DISTRICT LAND ADJUDICATION AND

SETTLEMENT OFFICER-TIGANIA DISTRICT4TH REPENDENT

THE HON. ATTORNEY GENERAL.....5TH RESPONDENT

R U L I N G

1. The parties, in this Court on 21st December, 2016, proffered a Consent dated 21st December, 2016, which is in the following terms:-

“By Consent of the parties herein and that of their Advocates, the Petitioner shall not be evicted by the 1st , 2nd and 3rd Respondents from the 20 points of an acre he is occupying pending the hearing and determination of the Petition herein”.

2. The Consent is adopted as an order of this Court.

3. Costs shall be in the cause.

4. It is so ordered.

DELIVERED IN OPEN COURT AT MERU THIS 21ST DAY OF DECEMBER, 2016 IN THE PRESENCE OF:

CA: Daniel/ James

Nyagaka for the Petitioner

D.J Mbaya for the 1st to 3rd Respondents

P.M.NJOROGE

JUDGE