



**REPUBLIC OF KENYA**  
**IN THE ENVIRONMENT AND LAND COURT AT MERU**

**CIVIL SUIT NO. 183 OF 2016**

KANGAI AGAPIUS MUTHURI.....1ST PLAINTIFF  
PIELINA MUKIRI KINYUA.....2ND PLAINTIFF  
EVANGELINE KAGWIRIA MUTHURI.....3RD PLAINTIFF  
ZIPPORAH KAREA MWEBIA.....4TH PLAINTIFF  
BENEDICT MWENDA MUTHURI.....5TH PLAINTIFF  
STANLEY MUTIGA MUTHURI.....6TH PLAINTIFF  
HARRIET KIENDE MUTHURI.....7TH PLAINTIFF

VERSUS

ERENEUS NYAMU MUTHURI..... DEFENDANT

**R U L I N G**

1. This application is dated 29th September, 2016 and seeks orders:-

***(1) THAT this application be certified urgent.***

***(2) THAT an order of inhibition do issue restraining the registration of dealings relating to L.R NOS ABOTHUGUCHI/GITIE/586, 590 and 591 pending the hearing and determination of this application.***

***(3) THAT an order of inhibition do issue restraining the registration of dealings relating to L.R.NOS. ABOTHUGUCHI/GITIE/589, 590 and 591 pending the hearing and determination of this suit.***

***(4) THAT costs of this application be in the main suit.***

2. The application was fixed to be heard on 05/12/2016.

3. When the application was called out for hearing the Plaintiff's Advocate was not in Court. Mr. Muriuki told the Court that the application had been given a hearing date in the presence of the Advocates representing the parties. He urged the Court to dismiss the application.

4. I deem the application heard interpartes but in the interest of Justice order that an order of Inhibition be

registered against L.R NOS. ABOTHUGUCHI/GITIE/ 589, 590 and 591 pending hearing and determination of this suit.

5. When Miss Nyaga , the Advocate for the Plaintiffs, came to Court very late, she wanted the Court to review its decision . She did not give any reason as to why she came to Court late. In the circumstances, I decline her request.

6. As I have already said, in the Interest of Justice:-

***It is ordered that an Order of Inhibition be registered against L.R. NOS. ABOTHUGUCHI/GITIE/589, 590 and 591 pending hearing and determination of this suit .***

7. Costs apposite to this application are awarded to the Defendant and to be in the cause.

8. The Plaintiff is ordered to fully comply with Order 11, CPR, within 30 days of today and the Defendant to do so within 30 days upon service of the Plaintiff's compliance documents.

9. The Plaintiff, and in default the Defendant, to set this suit down for hearing within 90 days of today.

10. It is so ordered.

**DELIVERED IN OPEN COURT AT MERU THIS 5TH DAY OF DECEMBER ,2016 IN THE PRESENCE OF:**

C.A Daniel/ James

Miss Nyaga for the Plaintiffs

Ken Muriuki for the Defendant

**P.M. NJOROGE**

**JUDGE**