



Case Number:	Miscellaneous Civil Application 745 of 2009
Date Delivered:	17 Aug 2012
Case Class:	Civil
Court:	High Court at Nairobi (Milimani Law Courts)
Case Action:	Ruling
Judge:	Mary Atieno Ang'awa
Citation:	Peter O. Ngoge t/a O.P. Ngoge & Associates v Ammu Investment Co. Ltd [2012] eKLR
Advocates:	M/s C.B Mwangela & Associates for the plaintiff M/s Ombati Otieno & Associates for the respondent
Case Summary:	-
Court Division:	Civil
History Magistrates:	-
County:	Nairobi
Docket Number:	-
History Docket Number:	-
Case Outcome:	Allowed
History County:	-
Representation By Advocates:	Both Parties Represented
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-
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**Editorial Summary**

1. *Court Vacation*
2. *Civil case*
3. *Application for temporary injunction.*
4. *Subject of main suit*

LAND LR 72/233

4.1 *That construction be stopped pend hearing of Notice of Motion of 13<sup>th</sup> August 2012*

*days.* 5. *Held: Injunction to issue for 14*

6. *Case Law:*

7. *Advocates :*

- i) *J.K. Jakaiwa holding brief for C.B. Mwangela instructed by M/s C.B. Mwangela & Co Advocates for plaintiff*
- ii) *T. Mugambi holding brief for Otieno Ombati instructed by M/s Ombati Otieno & Co Advocates for respondent*

**PETER O. NGOGE T/A O.P. NGOGE & ASSOCIATES .....**  
**APPLICANT**

**VERSUS**

**AMMU INVESTMENT CO. LT**  
**..... RESPONDENT/ CLIENT**

**R U L I N G**

**I INTRODUCTION**

1. The applicants 1 – 6 have filed suit seeking orders that an injunction do issue restraining the defendants from constructing on block 72/233 Ngei Phase II Estate Langata.
2. Upon hearing the parties on the issue as to whether a temporary injunction should issue or not. And upon giving the date of 29<sup>th</sup> August 2012 for interparte hearing. I hereby find that the injunctive order do issue against the defendants from further constructing for 14 days under Order 40 r 4(2) Civil Procedure Rules and upon the interparte hearing of this matter.
3. The costs be in the cause.

DATED THIS 17<sup>TH</sup> DAY OF AUGUST 2012 AT NAIROBI

**M.A. ANG'AWA**

**JUDGE**

*Advocates:*

*i) J.K. Jakaiwa holding brief for C.B. Mwangela instructed by M/s C.B. Mwangela & Co Advocates for plaintiff*

*ii) T. Mugambi holding brief for Otieno Ombati instructed by M/s Ombati Otieno & Co Advocates for respondent*



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