



**Murichu v Muniu & 2 others (Environment & Land Case
3253 of 1995) [2023] KEELC 16963 (KLR) (18 April 2023) (Ruling)**

Neutral citation: [2023] KEELC 16963 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT & LAND CASE 3253 OF 1995**

**LN MBUGUA, J
APRIL 18, 2023**

BETWEEN

KARERI MURICHU PLAINTIFF

AND

WILSON MUNIU 1ST DEFENDANT

WAMANDE KIMERIA 2ND DEFENDANT

HANNAH WANJIRU MUNIU 3RD DEFENDANT

RULING

1. I have now perused the record. I find that indeed plaintiff testified way back on December 11, 2017 and was cross examined. His case was closed.
2. Thereafter, the defence case was marked as closed on March 4, 2021. It has never been re-opened.
3. It appears that thereafter, the matter stalled because of an application filed by the plaintiff dated November 25, 2021 which was eventually dismissed.
4. In light of the foregoing analysis, I find that the proceedings of February 22, 2023 have been rendered atiose; no longer applicable as the case is at the stage of filing submissions. In that regard, the issue of adjourning the case to allow the defence to call witnesses doesn't rise.
5. It is noted that the defendants are not in court today.
6. In the circumstances, the court will give directions on the filing of submissions.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 18TH DAY OF APRIL, 2023 THROUGH MICROSOFT TEAMS.

LUCY N. MBUGUA



JUDGE

In the presence of:-

Kareri Murichu the Plaintiff

Mary Muigai for Plaintiff.

H. Kinyanji for 1st & 2nd defendant

Court assistant: Joan

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