

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

ENVIRONMENT AND LAND CASE NO 32 OF 2016

EMELDA KARENDI MBURUGUPLAINTIFF

VERSUS

EVANGELINE KAGWIRIA1ST DEFENDANT

ALPHONSE M' NTOGAI.....2ND DEFENDANT

R U L I N G

1. Directions were given on 05:04:17 for the Preliminary Objection dated 20:09:2016 to be canvassed by way of Written Submission, whereby such Submission were to be filed by 29:05:2017. The 2nd Defendant is the one who filed the Preliminary Objection. He has not filed Submissions. As such, I take it that the Preliminary Objection has not been prosecuted.

2. The Preliminary Objection of 20:09:16 is hereby dismissed with costs Plaintiff.

Delivered, dated and Signed at Meru this 29th May 2017 in the presence of:

C:A Janet

Miss Mutinda h/b for Kaumbi for 2nd Defendant

Marango Mwenda for Plaintiff

HON. L.N. MBUGUA

JUDGE