



Gona & another (Suing in the Capacity as the Personal Representative of the Estate of Samuel Kapombe Hare (Deceased)) v Indus Limited & 2 others (Land Case 11 of 2022) [2023] KEELC 22386 (KLR) (14 December 2023) (Ruling)

Neutral citation: [2023] KEELC 22386 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MALINDI
LAND CASE 11 OF 2022
FM NJOROGE, J
DECEMBER 14, 2023**

BETWEEN

DAMA KATANA GONA 1ST PLAINTIFF

ANTHONY UNDA CHONGO 2ND PLAINTIFF

**SUING IN THE CAPACITY AS THE PERSONAL REPRESENTATIVE OF THE
ESTATE OF SAMUEL KAPOMBE HARE (DECEASED)**

AND

INDUS LIMITED 1ST DEFENDANT

DISTRICT LAND REGISTRAR KILIFI 2ND DEFENDANT

THE ATTORNEY GENERAL 3RD DEFENDANT

RULING

1. This ruling is in respect of the notice of motion dated 22nd June, 2023 lodged by the 1st defendant/Applicant. I have perused the court file found that though this court ordered on two separate sittings that the trial of the application be by way of written submissions and that the applicant do file submissions, it never complied with those orders. Consequently, the application dated 22/6/2022 is hereby dismissed for want of compliance with court orders. The matter shall be mentioned on 21/2/24.

DATED, SIGNED AND DELIVERED AT MALINDI VIA ELECTRONIC MAIL ON THIS 14TH DAY OF DECEMBER, 2023.

MWANGI NJOROGE

JUDGE, ELC, MALINDI

