



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAKURU**

**CIVIL APPEAL NUMBER 150 OF 2009**

**BEDAN M. CHEGE.....APPELLANT**

VERSUS

**JULIUS KABUGU NDUNGU.....RESPONDENT**

*(Being an appeal from the Judgment & Decree of Rift Valley Provincial Committee Nakuru Land  
Dispute Appeal No. 121 of 2007 made on 10<sup>th</sup> June , 2009*

**RULING AND DIRECTIONS**

The Appeal before me arose from the Judgment and Decree of the **Rift Valley Provincial Committee, Nakuru Land Dispute Appeal No.121 of 2007** made on the 10<sup>th</sup> June 2009.

The Subject before the Land Dispute Tribunal concerned the Ownership and Title to Land namely **Parcel No. 1873 Kijabe/Kijabe Block 1/1873**.

In its determination as to ownership of the land parcel, the Tribunal found in favour of the Respondent. It is upon that decision tht the appellant filed he appeal under consideration on the 10<sup>th</sup> July 2009 by its Memorandum of Appeal dated 1<sup>st</sup> July 2009 and a Record of Appeal filed on the 1<sup>st</sup> March 2011.

From the above short narration, it is evident that the appeal belongs to the Environment and Land Court whose jurisdiction and mandate relate to all disputes concerning the use, title and occupation of land.

By practice Directions issued by the **Hon. Chief Justice on the 25<sup>th</sup> July 2014** and **Gazetted under Legal Notice No. 5178**, all land matters pending for hearing before the High Court, and that are not part-heard shall be transferred to the Land Court as may be directed by the Judge.

The appeal is not part-heard. Parties have filed written submissions. For these reasons, and pursuant to the practice Notes referred to above, I direct that this appeal be and is hereby transferred for hearing and determination to the Environment and Land Court.

Parties are directed to take fresh hearing date at the Environment and Land Court Registry.

**Dated, signed and delivered in open court on the 22<sup>nd</sup> day of September 2016.**

**JANET MULWA**

**JUDGE**