



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

ENVIRONMENT AND LAND CASE NO 34 OF 2015

SIMON M.EKURURA.....PLAINTIFF

VERSUS

GATURA MARIGU GACWE.....DEFENDANT

RULING

This application brought Under Order 45 Rule 1 of the Civil Procedure Rules seeks for orders:-

1. THAT this application be certified urgent.

2. THAT the Honourable Court be pleased to review its orders dated 14th July, 2015 to the extent that the enforcement be carried out by the O.C.S Marimanti Police Station instead of O.C.S Gatunga Police Post.

3. THAT costs be in the cause.

The application is buttressed by the affidavit of SIMON M. EKURURA and has the following grounds:-

1. THAT the suit land falls under the area of Jurisdiction of Marimanti Police Station.

2. THAT the O.C.S Gatunga Police Station is therefore unable to enforce the Court orders owing to the aforesaid territorial jurisdiction.

3. THAT the application is merited and the orders sought are merely facilitative and not substantive in nature.

This application seeks prayers to facilitate the implementation of this Courts Ruling delivered on 14th day of July, 2015. It is therefore allowed with the effect that the O.C.S Marimanti Police Station will carry out the apposite enforcement instead of the O.C.S Gatunga Police Post. Costs will be in the cause.

It is so ordered.

Delivered in open Court at Meru this 26th day of October, 2015 in the presence of:-

Daniel /Lilian

Thangicia for the Plaintiff

P . M. NJOROGÉ

JUDGE