



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI (MILIMANI COMMERCIAL COURTS)**

**Civil Suit 454 of 2008**

**LUCY WAITHERA MWANGI & TWO OTHERS.....PLAINTIFF**

**VERSUS**

**STEPHEN KIMANGA & FIVE OTHERS .....DEFENDANT**

**DIRECTIONS**

An application by way of Notice of Motion dated 3<sup>rd</sup> March, 2009 was brought to me as a vacation Judge. Upon perusal of the court file I find another mater with striking similarities was handled by my sister Khaminwa J and a ruling was delivered on 31<sup>st</sup> July, 2009. For the sake of consistency and to avoid a possibility of issuing contradicting orders, I hereby direct the Notice of Motion dated 3<sup>rd</sup> August, 2009 be placed before Khaminwa J on 16<sup>th</sup> September, 2009 for directions.

Meanwhile there will be a temporary stay of the release of the award by the Commissioner of Lands until the 16/09/09.

It is so ordered.

Dated 21<sup>st</sup> August, 2009.

**M. K. KOOME**

**JUDGE**