



**Kamau v Kamau & 2 others; Family Bank Limited (Interested Party/Respondent) (Environment & Land Case E014 of 2020) [2022] KEELC 13675 (KLR) (18 October 2022) (Ruling)**

Neutral citation: [2022] KEELC 13675 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI  
ENVIRONMENT & LAND CASE E014 OF 2020  
LN MBUGUA, J  
OCTOBER 18, 2022**

**BETWEEN**

**SAMUEL MUGI KAMAU ..... PLAINTIFF**

**AND**

**JANET WAMAITHA KAMAU ..... 1<sup>ST</sup> DEFENDANT**

**NAHASHON KARIITHI MWANGI ..... 2<sup>ND</sup> DEFENDANT**

**THOME FARMERS CO. (NO.1) LTD ..... 3<sup>RD</sup> DEFENDANT**

**AND**

**FAMILY BANK LIMITED ..... INTERESTED PARTY/RESPONDENT**

**RULING**

1. I have perused the record. I find that the directions given on April 27, 2022 were self executing orders particularly in terms of clause (3) thereof. The plaintiff was to take out summons to enter appearance and serve them within 30 days that is by May 27, 2022.
2. A look at the summons to enter appearance in the court file indicate that they are dated July 3, 2022. There is no evidence of service of even the late summons.
3. I find that clause 3 of the orders April 27, 2022 took effect on May 27, 2022. In the circumstances, this suit stands as having been struck out. The costs of the suit are awarded to defendants and interested party. File is closed.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 18TH DAY OF OCTOBER, 2022  
THROUGH MICROSOFT TEAMS.**

**LUCY N MBUGUA**

**JUDGE**



**In the presence of:-**

**M/s Mwangi for plaintiff**

**Wanga for 1st defendant**

**Kimondo for 2nd defendant**

**Court assistant: Eddel**

