



**Terer v Yegon & 2 others (Environment and Land Miscellaneous Application
E31 of 2022) [2022] KEELC 13541 (KLR) (13 October 2022) (Ruling)**

Neutral citation: [2022] KEELC 13541 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAKURU
ENVIRONMENT AND LAND MISCELLANEOUS APPLICATION E31 OF 2022
FM NJOROGE, J
OCTOBER 13, 2022**

BETWEEN

BENJAMIN KIPYEGON TERER PLAINTIFF

AND

ROBERT YEGON 1ST DEFENDANT

SARAH MUTAI 2ND DEFENDANT

EDWIN YEGON 3RD DEFENDANT

RULING

1. The applicant filed an application dated 3/8/2022 seeking eviction orders against the respondents on the basis that judgment was delivered in Nakuru ELC 67 of 2017 against the respondents in which they were enjoined from inter alia remaining on Molo South/Ikumbi Block 4/347 (Kamwaura) and Molo South/Ikumbi Block 4/340 (Kamwaura).
2. Having examined the Affidavit of service in the matter and found it not satisfactory this court mentioned the matter on 12/10/2022 and ordered the filing of a proper Affidavit of service with the appropriate annexures attached and the applicant complied. I am therefore satisfied that the application was effectively served upon the respondents and sufficient notice was given to the respondents of the hearing of the instant Notice of Motion.
3. However, the respondents have failed to file any response thereto and it is therefore unopposed.
4. Consequently, I grant prayers Nos. (2), (3) and (4) in the Notice of Motion dated 3/8/2022.

**DATED, SIGNED AND ISSUED AT NAKURU VIA ELECTRONIC MAIL ON THIS 13TH DAY
OF OCTOBER, 2022.**

MWANGI NJOROGE



JUDGE, ELC, NAKURU

