



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT AT NAROK**

**ELC NO. 17 OF 2020**

**ABDUL AZIM.....PLAINTIFF**

**-VERSUS-**

**RAJABALI HABIB ALI.....DEFENDANT**

**RULING**

I have considered the application before me and the pleadings in respect of the entire suit and I find that even though the suit herein was in regard to a parcel of land known as Narok Cis Mara/Oleleshwa/585 the substratum of the same is based on the allegations of fraud with regard to the grant of Letters of Administration and pursuant to the provisions of section 13 of the Environment and Land Act I find that I lack jurisdiction to adjudicate on the same and I therefore order that the suit herein be transferred to the High Court Family Division for hearing and determination.

**DATED, SIGNED and DELIVERED in open court at NAROK on this 18<sup>th</sup> day of January, 2021**

**Mohammed N. Kullow**

**Judge**

**18/01/2021**

In the presence of:-

CA:Chuma

Mr Kiptoo for the applicant

N/A for the defendant

**Mohamed N. Kullow**

**Judge**

**18/1/2021**