



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC JUDICIAL REVIEW CASE NO. 21 OF 2017

FORMERLY MERU ELC JUDICIAL REVIEW CASE NO. 615 OF 2013

REPUBLIC.....APPLICANT

VERSUS

LAND ADJUDICATION OFFICER MERU

SOUTH/MAARA DISTRICT.....RESPONDENT

M'RIBA RUMUKIA.....1ST INTERESTED PARTY

MWENDA KAJOGI.....2ND INTERESTED PARTY

EX-PARTE:

ZACHARY NJERU MUGAMBI.....1ST APPLICANT

M'NDEREBA MAGIRI.....2ND APPLICANT

FRANCIS KABURU JOHNSON.....3RD APPLICANT

RULING

1. This application has been brought to court under sections 3 and 3A of the Civil Procedure Act. It is dated **27th January, 2021** and seeks orders that:

A. The application be heard on priority basis.

B. The honourable court be pleased to review/vary the order dated 14.10.2020 by including the resultants numbers of the sub-division of L.R. No. Muthambi/L-Kandugu/87 which are 1408, 1409, 1410, 1411, 1944, 1945 and 1946.

2. It is supported by the affidavit of Francis Kaburu sworn on **27th January, 2021** and has the following grounds:

1.The Land Registrar is unable to implement the court order because the order does not mention the numbers of the sub-divided parcels to be cancelled and only names number 87 which appears in the registered one of the parcels (sic).

2.The error in omitting the said parcels is regrettable.

3. The court notes that the application is meant to facilitate the implementation of an order of this court. The 3rd applicant, Francis Kaburu, asked the court to allow the application.

4. In the circumstances, I allow prayer 2 in the application and award no costs.

Delivered in open Court at Chuka this 1st day of February, 2021 in the presence of:

CA: Ndegwa

Zachary Njeru – applicant

M’Ndereba Magiri – applicant

Francis Kaburu – applicant

HON. JUSTICE (DR) P. M. NJORGE,

ELC JUDGE.