



REPUBLIC OF KENYA



**Njenga & 2 others v Kiarie & 3 others (Land Case E402 of 2024)  
[2024] KEELC 7005 (KLR) (15 October 2024) (Ruling)**

Neutral citation: [2024] KEELC 7005 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI  
LAND CASE E402 OF 2024  
LN MBUGUA, J  
OCTOBER 15, 2024**

**BETWEEN**

**DAMARIS MUTHONI NJENGA ..... 1<sup>ST</sup> PLAINTIFF  
GRACE NYOKABI KIARIE ..... 2<sup>ND</sup> PLAINTIFF  
LYDIA NG'ENDO WAWERU ..... 3<sup>RD</sup> PLAINTIFF**

**AND**

**MARY NJERI KIARIE ..... 1<sup>ST</sup> DEFENDANT  
DAVID NG'ANG'A KIARIE ..... 2<sup>ND</sup> DEFENDANT  
SIMON NJENGA KIARIE ..... 3<sup>RD</sup> DEFENDANT  
NICHOLAS NJOROGE NJENGA ..... 4<sup>TH</sup> DEFENDANT**

**RULING**

1. This ruling relates to the question of whether this court should grant prayers 2 & 3 to preserve the suit property. The court takes judicial notice that it is this court which delivered the judgment in the cause mentioned by the applicants in their pleadings. The court is hesitant to grant any orders without having the benefit of the other file to discern the impact of the said orders.
2. In the circumstances, I decline to grant any orders at this stage but I direct, that the matter be heard on priority basis.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 15<sup>th</sup> DAY OF OCTOBER 2024  
THROUGH MICROSOFT TEAMS.**

**LUCY N. MBUGUA**

**JUDGE**



In the presence of:

Mwiti Kinyua for Plaintiff

Mr. Kerio for Defendant

Court assistant: Joan

