



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC MISCELLANEOUS JUDICIAL REVIEW APPLICATION CASE NO. E002 OF 2020

REPUBLIC.....APPLICANT

VERSUS

THE CABINET SECRETARY MINISTRY

OF LANDS & PHYSICAL PLANNING.....1ST RESPONDENT

THE DIRECTOR OF LAND

ADJUDICATION & SETTLEMENT.....2ND RESPONDENT

THE CHIEF LAND REGISTRAR.....3RD RESPONDENT

THE ATTORNEY GENERAL OF KENYA.....4TH RESPONDENT

AND

RAUNI NKARI.....INTERESTED PARTY

PHARES MUGAMBI.....EXPARTE APPLICANT

RULING

1. The parties were directed to come to court on **26.4.2021** to confirm filing of submissions.
2. On **26.4.2021** advocate Kijaru told the court that he was holding brief for Mr. Momanyi, the ex-parte applicant’s advocate. He also informed the court that he was also holding brief for Mr. Mugo for the Interested Party.
3. Mr. Kijaru told the court that all the parties had filed and exchanged their submissions. As the counsel for the 1st, 2nd, 3rd and 4th Respondents was not in court, he asked the court not to give a date for delivery of the apposite judgment to give the counsel for the 1st to 4th Respondents a chance to be present when the date for judgment would be given. He so prayed.
4. Upon consideration of this matter, I find the prayer not to pronounce a date for judgment until all advocates for the parties are in court to be without merit.
5. In the circumstances, the following orders are issued:
 - a) The prayer that the date for judgment be delayed until all advocates come to court is dismissed.
 - b) Judgment will be delivered on **23.6.2021**.

WRITTEN AND DELIVERED IN OPEN COURT AT CHUKA THIS 26TH DAY OF APRIL, 2021

in the presence of:

CA: Ndegwa

Kijaru h/b I.C. Mugo for the Interested Party

Kijaru h/b Momanyi for the ex-parte Applicant

Kiongo absent for 1st, 2nd, 3rd and 4th Respondents

P. M. NJORGE,

JUDGE.