



**Idow Trading Compnay Limited v Jimale & 2 others (Environment & Land Case 63 of 2008) [2023] KEELC 19309 (KLR) (7 June 2023) (Ruling)**

Neutral citation: [2023] KEELC 19309 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI  
ENVIRONMENT & LAND CASE 63 OF 2008**

**LN MBUGUA, J**

**JUNE 7, 2023**

**BETWEEN**

**IDOW TRADING COMPNAY LIMITED ..... PLAINTIFF**

**AND**

**MOHAMMED JIMALE ..... 1<sup>ST</sup> DEFENDANT**

**OSMAN ALI MOHAMMED ..... 2<sup>ND</sup> DEFENDANT**

**CITY COUNCIL OF NAIROBI ..... 3<sup>RD</sup> DEFENDANT**

**RULING**

1. This court pronounced itself on the issue of adjournment this morning, and the reasons being advanced now (11.20 am) are the same ones advanced before this court in the morning during virtual platform around 9.00 am or thereabout. Thus I need not rehash the ruling delivered earlier on.
2. The court had however reserved the issue of plaintiffs' documents, of which directions were to be given in open court.
3. The documents being referred to are apparently dated May 17, 2023 contained in a supplementary list filed by the plaintiffs.
4. However, the plaintiff's case has been closed without any reference to those documents as the evidence to be considered was given way back on September 26, 2018. In the circumstances, the court need not give any directions in regard to the said list, save to state that the said list has no bearing on the case.
5. The 2nd defendant and 3rd defendant are absent on this date of hearing. They also have no witnesses in court. The court has declined to grant any further adjournment. In the circumstances, the defence of 2nd and 3rd defendants are hereby marked as Closed.



**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 7<sup>TH</sup> DAY OF JUNE, 2023 THROUGH MICROSOFT TEAMS.**

**LUCY N. MBUGUA**

**JUDGE**

In the presence of:

Anzala for plaintiffPlaintiffs

Mugo holding brief for Mrs. Wambugu for 2nd defendant and holding brief for Macharia for 3rd Defendant.

Macharia for 3rd Defendant

Court assistant: Kajuju

***ELC CASE NO. 63 OF 2008 (1<sup>ST</sup> Ruling ) Page 2 of 2***

