



**Jeram v Council & 2 others (Environment & Land Case
1144 of 2007) [2022] KEELC 2359 (KLR) (7 July 2022) (Judgment)**

Neutral citation: [2022] KEELC 2359 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT & LAND CASE 1144 OF 2007**

LN MBUGUA, J

JULY 7, 2022

BETWEEN

GOVIND PARSHOTAM JERAM PLAINTIFF

AND

NAIROBI CITY COUNCIL 1ST DEFENDANT

CASCADE ENTERPRISES LIMITED 2ND DEFENDANT

JOSEPH MBARIA MUCHINA 3RD DEFENDANT

JUDGMENT

1. That the parties have entered into a Settlement Agreement dated 4th day of March, 2022 and agreed to settle the suit in the following terms on consideration of the settlement amount paid by Govind Purshottam Jeram to the legal guardians of Joseph Mbaria Muchina;
2. That the Parties agree that the Suit shall be marked as settled with Govind Purshottam Jeram (GPJ) being declared the lawful owner and Joseph Mbaria Muchina shall withdraw his claim on the Property and cease and desist from making any claims in respect of the Property known as Nairobi Block 37/72;
3. That the Parties hereby agree that Joseph Mbaria Muchina shall relinquish any and all claims of ownership and proprietary interest in Nairobi Block 37/72 and will cause cancellation of Certificate of Lease issued in his name in respect of the said Property upon recording of his consent Judgment;
4. That that the consent judgment will be registered against Nairobi Block 37/72 in the name of Govind Purshottam Jeram;
5. That the consent judgment will be served upon Nairobi City County to confirm and endorse the interest of Govind Purshottam Jeram as the registered rate payer;



6. That the consent Judgment will be served upon the Chief Land Registrar and Joseph Mbaria Muchina through his Guardians will surrender to the Chief Land Registrar the original Certificate of Lease in the name of Joseph Mbaria Muchina dated 6th day of November 2002 for the same to be cancelled and the Lands office file destroyed.
7. That the Parties agree that the Honourable Court presiding over the Suit shall make a declaration that the Govind Purshottam Jeram's ownership and proprietary interest in Nairobi Block 37/72 as valid as against any claim of ownership and proprietary interest in the Property by Joseph Mbaria Muchina and the consent judgment shall be registered against the title in the name of Govind Purshottam Jeram.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 7TH DAY OF JULY, 2022 THROUGH MICROSOFT TEAMS.

LUCY N. MBUGUA

JUDGE

In the presence of:-

Kamunde for the Plaintiff

M/s Muvindye holding brief for Kamunya for 1st Defendant

M/s Njuguna holding brief for James Rimoi for 3rd Defendant

Court Assistant: Eddel

