



Theuri (Sued as the legal administrator of the Estate of the late Veronica Wangeci Theuri) v Gikonyo (Sued as the administrator of the estate of John N. Gikonyo (deceased)) (Environment & Land Case 261 of 2015) [2022] KEELC 12815 (KLR) (4 October 2022) (Ruling)

Neutral citation: [2022] KEELC 12815 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAKURU
ENVIRONMENT & LAND CASE 261 OF 2015
FM NJOROGE, J
OCTOBER 4, 2022**

BETWEEN

**JOHN THEURI PLAINTIFF
SUED AS THE LEGAL ADMINISTRATOR OF THE ESTATE OF THE LATE
VERONICA WANGECI THEURI**

AND

**ANASTACIA NYANJUI GIKONYO DEFENDANT
SUED AS THE ADMINISTRATOR OF THE ESTATE OF JOHN N. GIKONYO
(DECEASED)**

RULING

1. On June 20, 2022, the court directed the plaintiff to file an application for amendment within fourteen days while the defendant was to file a response to the application within fourteen days of service of the said application and thereafter the application would have been heard by way of written submissions with the ruling delivered today, October 4, 2022.
2. This court had allowed the plaintiff an adjournment on June 20, 2022 to enable him make an application for amendment to his claim. The plaintiff did not file the application within the time allowed. Of the original purpose of the ruling to be delivered today, and this could have been it, there is therefore nothing to hear and determine and this court can only give directions as to hearing of the main suit.
3. This is an old suit commenced by way of originating summons on September 16, 2015 and it needs be disposed of with expedition.
4. For the foregoing reasons I hereby order that the suit be set down for hearing. The matter shall be mentioned on October 18, 2022 for the fixing of a hearing date in the presence of the parties but the



court will nevertheless issue a date in default of attendance in which event no party shall seek to adjourn the hearing later on the scheduled date.

DATED, SIGNED AND ISSUED AT NAKURU VIA ELECTRONIC MAIL ON THIS 4TH DAY OF OCTOBER, 2022.

MWANGI NJOROGE

JUDGE, ELC, NAKURU

