



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT AT NAIROBI**

**ELC CIVIL CASE NO. 1680 OF 1999**

**KARIOBANGI SEWAGE FARMERS SELF HELP GROUP.....PLAINTIFF**

**=VERSUS=**

**NAIROBI CITY COUNCIL.....1<sup>ST</sup> DEFENDANT**

**MERAB ANYANGO POCHE.....2<sup>ND</sup> DEFENDANT**

**KARIOBANGI NORTH LIGHT INDUSTRIES**

**JUA KALI ASSOCIATION.....3<sup>RD</sup> DEFENDANT**

**RULING**

1. I have gone through the court record. The same is clear. On the 18<sup>th</sup> December 2018, Mrs. Gulenywa for the plaintiff sought summons to be issued to the Chief Officer Lands, Nairobi City County to attend court to produce some records. Mr. Rigoro for Odhiambo for the 1<sup>st</sup> defendant and Mr. Wafula for the 3<sup>rd</sup> defendant were present. They told the court they had no objection to the issuance of the said summons. The court then issued summons to the said Chief Officer Lands. He has come to court with records pertaining to the current status of the suit property.

2. It should be noted that this suit was filed in 1999. A lot has happened since then. The court needs to be informed of the current status of the suit property before making final orders.

3. It is in the interest of justice that I allow the witness to produce the documents. Mr. Wafula has not told the court how this will prejudice his client. I find no merit in this objection and the same is dismissed.

It is so ordered.

**Dated, signed and delivered in Nairobi on this 4<sup>TH</sup> day of JULY 2019.**

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**L. KOMINGOI**

**JUDGE**

**In the presence of:-**

Mrs

Gulenywa advocate for the Plaintiff

Mr. Odhiambo advocate for the 1<sup>st</sup> Defendant

Mr. Wafula advocate for the 3<sup>rd</sup> defendant

Kajuju - Court Assistant