



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT OF KENYA

AT NAKURU

ELC NO. 170 OF 2012

**DANIEL KIPKEMOI SANG (suing as the legal representative of the estate of
Kimibei Arap Tue (DECEASED).....PLAINTIFF**

VERSUS

SAMUEL KIPTANUI KOSKEI.....1ST DEFENDANT

THE DISTRICT LAND REGISTRAR, NAKURU.....2ND DEFENDANT

MOSES NDUU MBUGUA.....3RD DEFENDANT

FRANCIS GITHINGA KIARIE.....4TH DEFENDANT

RULING

1. I have read the application dated 20 July 2018 seeking leave to serve the 3rd and 4th defendants by substituted means. I have read the supporting affidavit and the affidavit of the process server on the attempts made to serve the 3rd and 4th defendants. It does appear that the whereabouts of the 3rd and 4th defendants are unknown.

2. I therefore allow the application to serve the 3rd and 4th defendants by substituted means. I direct that the 3rd and 4th defendants to be served through an advertisement in either the Daily Nation or Standard Newspaper. I further direct that the advertisement be placed within the next 30 days. The advertisement to also reflect that this case will be mentioned on 13 December 2018 for directions.

3. It is so ordered.

Dated, signed and delivered in open court at Nakuru this 3RD day of October 2018.

JUSTICE MUNYAO SILA

ENVIRONMENT & LAND COURT AT NAKURU

In presence of : -

Mr. Mutai for the plaintiff.

Mr. Odundo for the 1st defendant.

No appearance for the 2nd defendant.

Court Assistant: Nelima Janepher.

JUSTICE MUNYAO SILA

