

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT MERU

ELC MISC NO. 19 OF 2020

ISAACK MURIIRA.....APPLICANT

VERSUS

ANWAR AHMED.....RESPONDENT

RULING

1. Before me is a notice of motion dated 18/08/2020 brought pursuant to Section 3, 3A, 18 & 63(e) of the Civil Procedure Act. The applicant seeks orders of transfer of the Isiolo Chief Magistrate ELC case No. 18 of 2020 from that court to Meru High Court for hearing and disposal, plus costs.
2. The application is based on the grounds on the face of it and on the supporting affidavit of **Isaack Muriira**, the plaintiff. The application is unopposed. When the matter came up for hearing on 19/11/2020, the applicant's counsel prayed that the matter be heard by way of written submissions which prayer was granted. The court gave directions that all submissions were to be filed by 29/01/2021. Failure of non-compliance on the part of the applicant was to attract a dismissal of the application.
3. The applicant's submissions were filed on 22/02/2021 which was in contravention of the orders given by this court. This court was not moved to vary the orders of 19.11.2020. It follows that this miscellaneous suit stood as dismissed on 30.1.2021 as no submissions had been filed by 29.1.2021.
4. The file is therefore marked as closed.

DATED, SIGNED AND DELIVERED VIA MICROSOFT TEAMS AT MERU THIS 19TH DAY OF MAY, 2021 IN PRESENCE OF:

C/A: Kananu

HON. LUCY. N. MBUGUA

ELC JUDGE