



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT**

**AT KITALE**

**ELC LAND CASE NO. 14 OF 2021**

**NABAKHWANAFARMERS COOPERATIVE SOCIETY LTD...PLAINTIFF**

**VERSUS**

**LOIS HOLDINGS LIMITED.....1<sup>ST</sup> DEFENDANT**

**ESTATE OF JASON KIAMBA KIMBUI.....2<sup>ND</sup> DEFENDANT**

**RULING**

- 1.** The notice of motion application dated **26/2/2021** and filed by the plaintiff in this suit in court on **1/3/2021** seeks a temporary injunction restraining the defendants from evicting the plaintiff's members from **LR No 6485** and **5335/2** until the hearing and final determination of the suit.
- 2.** The defendants entered appearance and filed defence through the firm of Kiarie & Co Advocates but did not respond to the application. The application is therefore unopposed.
- 3.** I therefore grant the application as prayed in **prayer nos (c) and (d)** thereof.
- 4.** The parties shall comply with the rules by filing and serving each other with the bundles of documents they rely on. The plaintiff shall comply within **14 days** and the defendants within **14 days** from the last date service of the plaintiff's documents is due. The suit shall be mentioned on the **7/6/2021** by way of teleconference for fixing a hearing date.

**Dated, signed and delivered at Kitale via electronic mail on this 5<sup>th</sup> day of May, 2021.**

**MWANGI NJOROGE**

**JUDGE, ELC, KITALE.**