



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

CIVIL CASE NO. E029 OF 2020

HENRY OSURA ISURA.....1ST PLAINTIFF
KUI KAMURU.....2ND PLAINTIFF
TIMOTHY MULI.....3RD PLAINTIFF
CAROLYNE NGENY.....4TH PLAINTIFF
EDWIN KENGARA.....5TH PLAINTIFF
LEON OVYA.....6TH PLAINTIFF
MAURICE N OROGE.....7TH PLAINTIFF
JOAN LESBITT.....8TH PLAINTIFF
SALLY KARIUKI.....9TH PLAINTIFF
CIRU WAITITI.....10TH PLAINTIFF
ANNE WAMITI.....11TH PLAINTIFF
STEPHANIE WANJIRU.....12TH PLAINTIFF
JUNE KUNG’U.....13TH PLAINTIFF

-VERSUS-

CHINA YUANDA REAL ESTATE GROUP LIMITED.....1ST DEFENDANT
WU DONGLI.....2ND DEFENDANT
JUSTIN NYACHIRO.....3RD DEFENDANT
JONATHAN ZHANG.....4TH DEFENDANT

ORDER ON DIRECTIONS

1. These directions arise out of the ruling delivered by this court on 6th November, 2020 in respect to the Notice of Motion dated 23rd July, 2020 brought by the plaintiffs herein.

2. In brief, the plaintiffs sought among others, interlocutory and mandatory injunctive orders against the defendants for reconnection of water supply to their respective apartments.

3. Upon hearing the parties on the Motion which was opposed by the defendants, this court granted a mandatory injunction compelling the 1st defendant and/or its employees/servants to reconnect water supply to the plaintiffs' apartments; and a further order requiring the 1st defendant and its authorized representatives to provide the plaintiff's with a breakdown of costs charged per cubic metre of water and to undertake a reconciliation of accounts of outstanding water bills for purposes of their settlement.

4. Moreover, this court ordered the parties to file the reconciled bills in court within 30 days pending further directions on 15th December, 2020.

5. When the parties appeared before this court on the 15th day of December, 2020 counsel for the defendants indicated that the 1st defendant was out of the country and therefore sought a further seven (7) days within which to file a report.

6. It is apparent from the court record that the report is yet to be filed and it remains unclear whether reconciliation of the outstanding water bills has been undertaken, despite the extension of time for compliance.

7. Suffice it to say that, I deem it necessary for the issue of the outstanding bills to be addressed and resolved at the earliest opportunity.

8. Consequently, I hereby make the following orders/directions:

a. The 1st defendant and/or his representatives are granted 14 days from this day, within which to comply with order (ii) issued on 6th November, 2020, if they have not done so.

b. The parties shall thereafter file the reconciled bills in court within 30 days from today's date in compliance with order (iii) issued on 6th November, 2020.

c. The matter to be mentioned in court on 19th April, 2021 to confirm compliance and for further directions.

DATED, SIGNED AND DELIVERED ONLINE VIA MICROSOFT TEAMS AT NAIROBI THIS 12TH DAY OF MARCH, 2021.

.....

J. K. SERGON

JUDGE

In the presence of:

..... for the Plaintiff

..... for the Defendant