



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELC CASE NO. 113 OF 2016

NJAU MUCHOKI..... 1ST PLAINTIFF
JAPHET NGIGE.....2ND PLAINTIFF
KARIMI MURIITHI.....3RD PLAINTIFF
JAPHET RIUNGU NJAU.....4TH PLAINTIFF
LINUS NKONGE MUKINDIA.....5TH PLAINTIFF
ELIPHAZ NJAGI KIUNGA..... 6TH PLAINTIFF
MARANGU JUSTO.....7TH PLAINTIFF

VERSUS

KTDA GREATER MERU POWER COMPANY LIMITED... 1ST DEFENDANT
KTDA POWER COMPANY LIMITED.....2ND DEFENDANT
WERU TEA FACTORY LIMITED..... 3RD DEFENDANT
JIANGXI WATER & HYDROPOWER CONSTRUCTION
COMPANY LIMITED.....4TH DEFENDANT
ANDRITZ HYDRO GMBH.....5TH DEFENDANT
NATIONAL ENVIRONMENTAL MANAGEMENT
AUTHORITY.....6TH DEFENDANT

DIRECTIONS/RULING

This court was to deliver a ruling in respect of the application dated 20/7/2018. A perusal of the record however reveals that the application does not exist, the same having been dismissed on 8.10.2018 for non-attendance by the applicants. Unless and until the said application is reinstated, the court cannot purport to proceed with the determination of the issues raised therein. In the circumstances, the directions given by the court after 8.10.2018 regarding the hearing of the non-existent application are declared superfluous. It is so ordered.

DATED, SIGNED AND DELIVERED AT MERU THIS 20TH DAY OF MAY, 2020

HON. LUCY. N. MBUGUA

ELC JUDGE

ORDER

The date of delivery of this ruling was given to the parties at the conclusion of the hearing and by a fresh notice by the Deputy Registrar. In light of the declaration of measures restricting court operations due to the *COVID-19 pandemic* and following the practice directions issued by his Lordship, the Chief Justice dated 17th March, 2020 and published in the Kenya Gazette of 17th April 2020 as Gazette Notice no.3137, this ruling has been delivered to the parties by electronic mail. They are deemed to have waived compliance with order 21 rule 1 of the **Civil Procedure Rules** which requires that all judgments and rulings be pronounced in open court.

HON. LUCY N. MBUGUA

ELC JUDGE