



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**MILIMANI LAW COURTS**

**ENVIRONMENT AND LAND COURT**

**ELC. CASE NO. 311 OF 2015**

**FREDRICK MWANGI NYAGA..... PLAINTIFF**

**VERSUS**

**DEL MONTE (K) LTD.....DEFENDANT**

**RULING**

I have studied the Notice of Motion dated 21<sup>st</sup> April 2015 and the Supporting Affidavit thereto. I have also studied the Defendant's Replying Affidavit sworn on 5/5/15 and their Grounds of Opposition of the same date. I have also considered the written submissions filed by both the Plaintiff and the Defendant and do hereby order that this being a boundary dispute the parties do maintain the status quo currently prevailing until the hearing and determination of this suit.

In order to pave way to the main hearing, the parties to be allocated a date for pre-trial conference.

**DELIVERED, DATED AND SIGNED AT NAIROBI THIS 1<sup>ST</sup> DAY OF JULY 2016.**

**MARY M. GITUMBI**

**JUDGE**