

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
MILIMANI LAW COURTS
ENVIRONMENT AND LAND DIVISION

ELC. CASE NO. 466 OF 2014

JEDIDA ONDISO AKANDA.....PLAINTIFF

VERSUS

BENSON NZAMBU.....1ST DEFENDANT

GEORGE OGODO.....2ND DEFENDANT

BENSON OCHOKA).....3RD DEFENDANT

(SUED IN HIS PERSONAL CAPACITY AND AS

CHAIRMAN OF HURLINGHUM SQUATTERS DEVELOPMENT

RULING

I note that this court delivered a ruling in respect of the Plaintiff's Notice of Motion dated 15/4/14 on 25/7/2014.

However, the Plaintiff and the 1st Defendant recorded a consent in court on 4/11/14 to the effect, inter alia, that Notice of Motion dated 15/4/14 be heard afresh and the earlier ruling be set aside. The court proceeded to adopt that consent as an order of the court on 4/11/14.

Having considered this suit, I am of the opinion that the court should not sit to reconsider its ruling on Notice of Motion dated 15/4/14 but should instead facilitate the full and final determination of this suit after the main trial.

Accordingly, I hereby direct that all parties do maintain the prevailing status quo pending the hearing and determination of this suit. A date for pre-trial conference may be given to pave way to the main hearing.

DELIVERED, DATED AND SIGNED AT NAIROBI THIS 1ST DAY OF JULY 2016.

MARY M. GITUMBI

JUDGE