



**REPUBLIC OF KENYA**

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

**CIVIL APPEAL NUMBER 48 OF 2013**

**NAOMI WANGECI MUNENE..... APPELLANT**

**VERSUS**

**VERONICA WANJIRU..... RESPONDENT**

*(Appeal from the Judgment and Decree the Hon. D.K. Mikoyan, Ag. Senior Principal Magistrates at Nyahururu dated March, 2013 in the Senior Principal Magistrate's Court Civil Case No. 336 of 2009)*

**DIRECTIONS**

This appeal arose from the trial courts judgment delivered on the 20<sup>th</sup> March The subject matter and cause of action in the said court a dispute involving ownership and title to a **Land Parcel Nyahururu Municipality Block 8/790**. The appellant dissatisfied with the judgment prompting the filing of his appeal.

Practice directions issued by the Honourable Chief Justice on the 25<sup>th</sup> July 2014 and gazetted as **Notice No. 5178** on proceedings relating to the Environment and Land Court, the use and occupation of and title to land, practice direction. 5 states:

***“that all cases relating to the Environment land use and occupation of land title to land which have been fi at the High Court and where hearing are yet to commence shall be transferred to the Environment and Land Court as directed by Judge.”***

There is no dispute that the matter hereof falls under the Jurisdiction of the Environment and Land Court. The appeal is yet to be heard. Parties took directions that the same be disposed off by of written submissions which they have filed.

For those reasons, I am constrained to order a transfer of the appeal for hearing and determination to the Environment and Land Court.

Parties proceed to take directions before the said court.

**Dated, signed and delivered in co this 10<sup>th</sup> Day of November 2016.**

**JANET MULWA**

**JUDGE**