



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT**

**AT CHUKA**

**CHUKA ELC CASE NO. 03 OF 2020**

**PIUS WATENE D MAINA(suing for and on behalf of the Baptist Convention**

**of Kenya.....PLAINTIFF/APPLICANT**

**VERSUS**

**THE DIRECTOR GENERAL KENYA URBAN ROADS AUTHORITY... 1<sup>ST</sup> DEFENDANT/RESPONDENT**

**HYPERTECK CONTRACTORS & EQUIPMENT LIMITED .....2<sup>ND</sup> DEFENDANT/RESPONDENT**

**KENYA POWER & LIGHTING COMPANY.....3<sup>RD</sup> DEFENDANT/RESPONDENT**

**THE INSPECTOR GENERAL OF POLICE.....4<sup>TH</sup> DEFENDANT/RESPONDENT**

**THE OCS CHUKA POLICE STATION.....5<sup>TH</sup> DEFENDANT/RESPONDENT**

**THE HONOURABLE ATTORNEY GENERAL.....6<sup>TH</sup> DEFENDANT**

**RULING**

1. There is a Preliminary Objection dated **19.6.2020** and an application dated **29.6.2020**. Mr. Kiongo for 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> defendants asked the court to hear the Preliminary Objection and the application first.
2. The application dated 29.6.2020 and the Preliminary Objection dated 19.6.2020 will be heard first before the court proceeds to hear the main suit.
3. The applicant is directed to file his submissions concerning the application dated 29<sup>th</sup> June, 2020 and the Preliminary Objection dated 19<sup>th</sup> June, 2020 within 7 days of today and all other parties are to do so within 7 days after receipt of the applicant's written submissions.
4. Extant interim orders are extended in terms of section 63 of the Civil Procedure Act.
5. Soft copies of all proceedings are to be availed to the ELC registry.
6. Directions to confirm filing of submissions to take place on 27.10.2020.

**Written and delivered in open Court at Chuka this 29<sup>th</sup> day of September, 2020 in the presence of:**

**CA; Ndegwa**

**Muthomi Gitari for the Plaintiff**

**Kiongo present for 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> defendants**

**Kiongo h/b Kithinji for the 3<sup>rd</sup> defendant**

**P. M. NJORGE,**

**JUDGE.**