



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**  
**CIVIL CASE NO. 169 OF 2008**  
**(Previously Nairobi HCCC no 1162 of 2005)**

**REGISTERED TRUSTEE OF THE AGRICULTURE SOCIETY OF  
KENYA.....CLAIMANT**

**VERSUS**

**MERU GOLF LIMITED.....1ST DEFENDANT**  
**THE HONOURABLE THE ATTORNEY GENERAL.....2ND DEFENDANT**

**ELIJAH IMATHIU**  
**CHARLES GIKUNDI**  
**JOHN GITUMA**  
**DR. MWORIA MUGAMBI**

**(All operating in the name and style of**

**MERU PUBLIC GOLF COURSE.....3RD DEFENDANT**

**AND**

**KENYA FOREST SERVICE.....INTERESTED PARTY**

**RULING**

On 9.11.2015, the parties in this matter presented a consent which they asked the court to adopt as its order.

The consent is in the following terms:

***“By consent, parties have agreed THAT:***

- 1. The two matters, i.e 169 of 2008 and ELC No. 44 of 2015 be consolidated wherein 169 of 2008 be the lead file.***
- 2. Court be pleased to issue a mention date for pre-trial directions.***
- 3. Parties to pursue the option of out of court settlement in the meantime.***

The consent is duly signed by the advocates representing the parties. It is dated 9.11.2015.

In the circumstances, the consent is adopted as an order of this court.

Costs shall be in the cause.

By consent, parties have agreed to come to Court on 9.3.2016 to report the progress they will have made in their attempt to reach an out of Court settlement and to take directions.

**Delivered in Open Court at Meru this 9th day of November, 2015 in the presence of:**

Cc. Lilian/Daniel

Felix Mutua for Plaintiffs in both cases

Muthamia b/b Miss Kiome for 1st and 2nd Defendants in 169 of 2008

Miss Kungu for 2nd defendant in 169 of 2008

Miss Muthee for Interested Party in 169 of 2008

Benjamin Makokha for Defendant in ELC 44 of 2015

**P. M. NJOROGI**

**JUDGE**