

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELC CASE NO. 6A OF 2011

ZAKARIA KIRUKI.....PLAINTIFF

VERSUS

SHADRACK MWITI.....1ST DEFENDANT

JANET MARINGA M'IKIARA.....2ND DEFENDANT

EVANGELINE NKIROTE M'IKIARA.....3RD DEFENDANT

RULING

1. This ruling is in respect of the application dated 25.2.2020, where the applicant is seeking an order for the Land Registrar Imenti North to dispense with the Title Deed for the Land Parcel no. NKUENE/U-MIKUMBUNE/574. The applicant contends that there is no order staying the judgment delivered on 17.10.2018.

2. The respondent did not file any document in opposition to the application hence the same is unopposed. The applicant has submitted that the respondent has refused to release the title deed in respect of the suit parcel. I therefore find that the application is meant to give effect to the implementation of the aforementioned judgment. The application is allowed as drawn. File closed.

DATED, SIGNED AND DELIVERED IN MERU THIS 14TH DAY OF DECEMBER, 2020

HON. LUCY. N. MBUGUA

ELC JUDGE

ORDER

The date of delivery of this ruling was given via a notice dated 7.12.2020. In light of the declaration of measures restricting court operations due to the *COVID-19 pandemic* and following the practice directions issued by his Lordship, the Chief Justice dated 17th March, 2020 and published in the Kenya Gazette of 17th April 2020 as Gazette Notice no.3137, this Ruling has been delivered to the parties by electronic mail. They are deemed to have waived compliance with order 21 rule 1 of the ***Civil Procedure Rules*** which requires that all judgments and rulings be pronounced in open court.

HON. LUCY N. MBUGUA

ELC JUDGE