

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELC CASE NO. 26 OF 2013

JOHN MURIUNGI MUGWIKA.....PLAINTIFF

VERSUS

CHARITY MPINDA M'MUGWIKA.....DEFENDANT/RESPONDENT

RULING

1. The plaintiff has filed the application dated 22.9.2020 (filed on 24.9.2020) seeking orders to review the order given on 20.5.2020 and have the sub county police commander Imenti Central give security to clear real Auctioneers instead of the O.C.P.D Meru. He contends that the suit-land is in Ruiga area of Meru Sub-County outside the territorial jurisdiction of the OCPD Meru who is in Imenti North Sub -County. He avers that the OCPD Meru had declined to grant security outside his area of command.

2. Having allowed the earlier application dated 19.9.2019 to provide the applicant with security in execution of the judgment herein, then I find that the current application is merely meant to give effect to the said judgment as well as the order of 20.5.2020. In the circumstances, the application dated 22.9.2020 is allowed with no orders as to costs. File closed.

DATED, SIGNED AND DELIVERED AT 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