



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELC CASE NO. 106 OF 2009

**KENNETH KIREMA MUNENE1ST
PLAINTIFF**

**MARTIN KIREMA MUNENE..... 2ND
PLAINTIFF**

=VERSUS=

**HARRIET NTAKIRA MATIRI1ST
DEFENDANT**

**BENJAMIN NKANDO MUNENE.....2ND
DEFENDANT**

RULLING (EX-TEMPORE)

1. Before court for determination is a limb of the application dated 7/7/2025. The application was brought by the estate of the 1st defendant. The limb falling for determination is a plea for substitution of Harriet Ntakira Matiri who is said to have died on 10/9/2022. The applicant urges the court to consider the other limbs of the application after the issue of

substitution has been disposed and the question of coram has been ascertained.

2. It is alleged that the plaintiffs did not respond to the application. The plaintiffs have not attended court today to articulate their position on the application. The 2nd defendant is represented by **Ms Mutema** who has submitted that they are not opposed to the application.
3. In the absence of any opposition to the plea for substitution, the same is allowed in terms of prayer 2. Directions shall be given on the other limbs of the application dated 7/7/2025. It is so ordered

DATED, SIGNED AND DELIVERED AT MERU THIS 13TH DAY OF OCTOBER, 2025

**B M EBOSO [MR]
ELC JUDGE**