



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC PETITION CASE NO. 04 OF 2018

BARUA GITUMA.....1ST PETITIONER

GERRAD NJAGI MATUMO.....2ND PETITIONER

JOSEPH MUTUGI KAMWARA.....3RD PETITIONER

DELYINO MPANDA KATHENYA.....4TH PETITIONER

MISHECK MITUGO KAMWARA.....5TH PETITIONER

M'KUNGANIA MURAUKO.....6TH PETITIONER

MBAE MUCHEGE.....7TH PETITIONER

AND

THE NATIONAL LAND COMMISSION.....1ST RESPONDENT

THE CABINET SECRETARY, MINISTRY OF

LANDS AND PHYSICAL PLANNING.....2ND RESPONDENT

THE DISTRICT LAND ADJUDICATION OFFICER,

THARAKA NITHI COUNTY.....3RD RESPONDENT

THE HON. ATTORNEY GENERAL.....4TH RESPONDENT

RULING

1. An issue arose concerning the serial non-attendance of the 1st Respondent, the National Land Commission. Mr. Mwiti, the petitioners' advocate reiterated that they had always served the National Land Commission. Mr. Kiongo, Senior State Counsel, for the Attorney General felt that the National Land Commission was an important prayer in this suit.
2. I agree that the National Land Commission should be given a last chance to give its side of this case.
3. In the circumstances, it is ordered that the orders issued by the court today be served upon the National Land Commission within 10 days of today. The orders are:

- a) The petitioners to serve the orders issued by the court today upon the 1st Respondent, the National Land Commission, within the next 10 days.
- b) All respondents and the Interested Parties granted 30 days to file and exchange their submissions.
- c) All submissions to be filed in both hard and soft copies.
- d) By consent, directions to confirm compliance and to fix a date for judgment on **6th May, 2019**.

Delivered in open Court at Chuka this **8th day of April, 2019** in the presence of:

CA: Ndegwa

Jessie Mwiti for the Petitioners

Kinoti Kirera for the Petitioners

Kirimi Gituma for the Petitioners

J. M. Kiongo for the 2nd to 4th Respondents

Kaimenyi Kithinji for the Interested Parties

P. M. NJOROGE,

JUDGE.