

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT CHUKA

CHUKA ELC CASE NO. 15 OF 2018

DIONECIA CIANDEKE.....PLAINTIFF

VERSUS

NDURURU NYAGA.....DEFENDANT

RULING

1. I issued a ruling this morning. This afternoon, I have been moved to remove the order directing the County Criminal Investigations Officer to undertake investigations concerning a suspicious order presented to the District Land Registrar, Chuka. The advocates representing the parties held the view that since this matter had already been given a hearing date, the intended investigations would have the effect of delaying the hearing and determination of the suit. I agree.

2. I issue the following orders:

1. A determination is hereby made that the order issued by this court that the circumstances leading to the preparation of the suspicious order presented to the Land Registrar, Chuka, be investigated is hereby vacated.

2. The Chuka Law Courts will handle this matter internally.

3. All other contents contained in this court's Ruling dated **2nd April, 2019** remain and in particular the plaintiff should comply with order 11, CPR, within 14 days of today and the defendant is required to do so within 14 days after receipt of the plaintiff's compliance documents and **NEVERTHELESS** to do so after expiry of the period granted to the plaintiff.

4. As already directed, **HEARING** of this suit will take place on **11th June, 2019**.

Delivered in open Court at Chuka this **2nd day of April, 2019** in the presence of:

CA: Ndegw

Kirimi Muturi for the Plaintiff

Joe Kathungu for the defendant

P.M. NJORGE

JUDGE