



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT AT MERU**

**ELC MISC. NO. 13 OF 2019**

**LEONARD KAMENCHU KAIRIAMA.....APPLICANT**

**VERSUS**

**ELIJAH MAITAI ICHICHA.....1<sup>ST</sup> RESPONDENT**

**THE DISTRICT LAND ADJUDICATION AND SETTLEMENT**

**OFFICER TIGANIA DISTRICTS.....2<sup>ND</sup> RESPONDENT**

**THE HONOURABLE ATTORNEY GENERAL.....3<sup>RD</sup> RESPONDENT**

**RULING**

1. In the application dated 12.3.2019, applicant is seeking leave to file his appeal out of time on grounds that he has sufficient and good cause for not filing the appeal in time. In his supporting affidavit filed on 13.3.2019, applicant avers inter alia that his suit ELC NO. 59 of 2018 at Tigania court was struck out for no good reasons. Thus, applicant felt aggrieved by the ruling of the court and desired to appeal. However, he was not able to compile his record of appeal as the record of the lower court was not typed on time.

2. I find that the application is unopposed. The same is allowed as drawn but the memorandum of appeal is to be filed and served within 14 days from today failure to which the leave granted herein lapses.

**DATED, SIGNED AND DELIVERED IN OPEN COURT AT MERU THIS 8<sup>TH</sup> DAY OF MAY, 2019 IN THE PRESENCE OF:-**

C/A: Kananu

Miss Mwai holding brief for Mr. Kariuki for 1<sup>st</sup> respondent

Muchiri for applicant

Miss Kungu for Attorney General

1<sup>st</sup> respondent

**HON. LUCY. N. MBUGUA**

**ELC JUDGE**