



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELC CASE NO. 106 OF 2009

KENNETH KIREMA MUNENE.....1ST

PLAINTIFF

MARTIN KIREMA MUNENE.....2ND

PLAINTIFF

-VERSUS-

**HARRIET NTAKIRA MATIRI.....1ST
DEFENDANT**

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

RULING

(EX-TEMPORE)

1. Prayers 1 and 2 of the application dated 7/7/2025 were granted in the preceding court sessions and are now spent. What is outstanding is prayer 3 which is a plea for an order of stay of execution.

2. The applicant has decided to withdraw the said outstanding limb of the application. There is no objection to the oral plea to withdraw the outstanding limb of the application.
3. In the circumstances, the oral plea is allowed and the application dated 7/7/2025 is marked ***“spent with no order as to costs”***. The file shall be marked ***“case closed”***.

DATED, SIGNED AND DELIVERED AT MERU THIS 2ND DAY OF FEBRUARY, 2026.

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

In the presence of:

Ms Mutema for the 2nd Defendant

Mr Kaume holding brief for Mr Kimathi for the Plaintiffs.

Mr John Muthomi for the 1st Defendant

Court Assistant – Mr. E. Tupet