



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO. 13 OF 2018 (OS)

IN THE MATTER OF THE REGISTRATION OF LANDS ACT NO. 3 OF 2012 SECTION 28(H)

AND IN THE MATTER OF ORDER 37 RULE 7 CIVIL PROCEDURE RULES

AND IN THE MATTER OF SECTION 38 OF THE LAW OF LIMITATION OF ACTIONS ACT CHAPTER 22 LAWS F KENYA
AND

IN THE MATTER OF AN APPLICATION BY NJERU PHILIP NJOKA THAT THE COURT DO MAKE A DECLARATION THAT HE IS ENTITLED TO 2.01 ACRES OF LR: MAGUMONI/MUKUUNI/303 UNDER THE DOCTRINE OF ADVERSE POSSESSION AND

IN THE MATTER OF AN APPLICATION BY NJERU PHILIP NJOKA THAT HE BE REGISTERED WITH 2.01 ACRES OUT OF LR:MAGUMONI/MUKUUNI/303 WHICH HE HAS ACQUIRED UNDER THE DOCTRINE OF ADVERSE POSSESSION

ALEXANDER NYAGA..... PLAINTIFF

VERSUS

BENJAMIN COLLINS MATI.....1ST DEFENDANT

GERRAD NYAGI WILSON.....2ND DEFENDANT

RULING

1. The parties in this suit proffered a consent in the following terms:

“CONSENT

By consent of all parties, it is agreed that the parties in this matter do rely on the pleadings they have filed and canvass their suit by way of written submissions.”

Dated at Chuka this 11th day of June, 2019.

Signed by:-

1. Mr Mugo – Advocate for Applicant

2. Miss Ambani - Advocate for 2nd Respondent

3. Mr Mati – the 1st Respondent

2. The said consent is adopted as an order of this court.

3. All parties are directed to concurrently file and exchange written submissions within 7 days of today and also to file soft copies thereof within the said 7 days.

4. By consent, all parties will come to court on 19.6.2018 for apposite directions.

Delivered in open Court at Chuka this 11th day of June, 2019 in the presence of:

CA: Ndegwa

I.C. Mugo for the Applicant

M/S Ambani for the 2nd Respondent

Benjamin Collins – 1st Respondent

P. M. NJORGE

JUDGE