

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO 03 OF 2019 (OS)

SUSAN NYAMBURA MWATHI PLAINTIFF

VERSUS

DUNCAN KIRIA KABETE..... DEFENDANT

RULING

1. During directions on **23.9.2019**, Muthomi Gitari, holding brief for John Muthomi for the plaintiff and M/s Kithaka, for the defendant proffered a consent dated **23rd September, 2019** which reads as follows:

CONSENT

“By consent the P.O. dated 3rd July, 2019 is withdrawn. That this suit be consolidated with CMCC No. 56 of 2018. That CMCC No. 56 of 2018 be transferred to this court for purpose of consolidation.”

Signed

Ann Kithaka for Defendant

Muthomi Gitari for John Muthomi for Plaintiff

2. The consent is adopted as an order of this court. File No. CMCC 56 of 2018 should be annexed to this file which will become the lead file.

3. By consent of advocates representing the parties, **Directions** will be taken on **29th October, 2019**.

4. It is so ordered.

Delivered in open Court at Chuka this **23rd day of September, 2019** in the presence of:

CA: Ndegwa

Muthomi Gitari h/b John Muthomi for the Plaintiff

M/s Kithaka for the Defendant

P. M. NJOROGE

JUDGE