



**REPUBLIC OF KENYA**

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

**ELC MISC NO. 37 OF 2019**

**CIOMATAU M'IMULA .....APPELLANT**

**VERSUS**

**CHRISTINE MUTHONI KIRAMUNYA..... RESPONDENT**

**RULING**

1. The application dated 30.7.2019 was seeking for the following orders:

- (a) That the application be certified urgent and be heard on priority basis.
- (b) That this court be pleased to allow the applicant to appeal out of time against the ruling of the senior resident magistrate's court at Maua dated 30<sup>th</sup> May, 2019 in Maua ELC case no. 102 of 2019.
- (c) That the costs of this application be provided for.

2. The grounds in support of this application are that:

- (i) That the application for certified copy of the ruling/order was made immediately after the ruling was delivered.
- (ii) That the said ruling was not availed until time to appeal had expired making this application necessary.

3. I have perused the application dated 30.7.2019 which was duly served. I find that the same is merited. I allow the same on the following terms:

- i) The memorandum of appeal is to be filed and served within 30 days from today.
- ii) The time is extended accordingly
- iii) The order for extension of time shall lapse if there is non-compliance with clause 1 herein.
- iv) Costs in the cause.
- v) File is marked as closed.

**DATED, SIGNED AND DELIVERED IN OPEN COURT AT MERU THIS 13<sup>TH</sup> DAY OF NOVEMBER, 2019 IN THE PRESENCE OF:-**

C/A: Kananu

Rimita for plaintiff

Applicant

**HON. LUCY. N. MBUGUA**

