



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO. 02 OF 2019

NJIRU MICHENI NTHIGA (SUING AS

**A LEGAL REPRESENTATIVE AND ADMINISTRATOR OF THE ESTATE OF THE DECEASED
LEONARD R.I. NTHIGA).....PLAINTIFF**

VERSUS

THE GOVERNOR, THARAKA NITHI COUNTY GOVERNMENT1ST DEFENDANT

COUNTY GOVERNMENT OF THARAKA NITHI.....2ND DEFENDANT

THE MEMBER OF COUNTY ASSEMBLY, MAGUMONI WARD.....3RD DEFENDANT

THE CHIEF OFFICER, ROADS AND INFRASTRUCTURE

THARAKA NITHI COUNTY.....4TH DEFENDANT

THE CHIEF OFFICER, LANDS, PHYSICAL PLANNING AND

URBAN DEVELOPMENT THARAKA NITHI COUNTY.....5TH DEFENDANT

WESTOMAXX INVESTMENT LTD.....6TH DEFENDANT

RULING

1. On 13th November, 2019 Mr. Kirimi Muturi, the plaintiff’s advocate and Mr.Karanja Munyori, the advocate for the 1st, 2nd, 4th, 5th and 6th defendants proffered a consent for adoption of the court. The consent is in the following terms:

BY CONSENT

1. Plaintiff’s application dated 27th February, 2019, be heard by way of written submissions.
2. The 1st, 2nd, 4th to 6th Defendants to file a response within 14 days.
3. The Plaintiff to file a further affidavit, if need be, within 14 days.
4. Thereafter, parties to file and exchange submissions within 14 days.

Matter be mentioned to take a ruling date on the said application.

DATED AT CHUKA ON 13TH NOVEMBER, 2019

KARANJA MUNYORI ADVOCATE FOR THE 1ST, 2ND, 4TH, 5TH & 6TH DEFENDANTS

KIRIMI MUTURI ADVOCATE FOR THE PLAINTIFF

2. The consent is adopted as an order of this court.
3. Parties will come to court for directions on 29.1.2020
4. Orders accordingly.

Delivered in open Court at Chuka this **13th day of November, 2019** in the presence of:

CA: Ndegwa

Kirimi Muturi for the Plaintiff

Munyori for 1st, 2nd, 4th, 5th and 6th defendants

P.M. NJORGE

JUDGE