



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELC CASE NO. 50 OF 2018

ALICE KAMBURA (Suing as the

legal representative of the estate of

NORMAN NTONGAI alias NTONGAI

AMBAU – Deceased).....PLAINTIFF

VERSUS

EVANGELINE GATITU KIRERA.....1ST DEFENDANT

JOSEPH BUNDI.....2ND DEFENDANT

RULING

1. Having perused the scene visit report dated 15.7.2019, I find that plaintiff is the one apparently in utilization and occupation of the suit land. It however appears that there is a need to have the input of the experts to demarcate or point out the actual boundaries of the two parcels.

2. In the circumstances I proceed to give the following directions:

- 1) The application dated 4.12.2018 is marked as SPENT in terms of the scene visit report whereby the status quo is to be maintained until this matter is determined.
- 2) I direct that the county surveyor and the county land registrar do visit the scene and clearly mark out the boundaries of the suit land and file a report thereof.
- 3) The parties herein to meet the costs of the scene visit.
- 4) Meanwhile, the defendants would file their statement of defence forthwith and in any event within 14 days.

DATED, SIGNED AND DELIVERED IN OPEN COURT AT MERU THIS 9TH DECEMBER, 2019 IN THE PRESENCE OF:-

C/A: Kananu

M. Kariuki for plaintiff

Plaintiff

Defendants

HON. LUCY. N. MBUGUA

ELC JUDGE