



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT CHUKA

CHUKA ELC CASE NO. 22 OF 2017

FORMERLY MERU ELC CASE NO. 45 OF 2016

**ANESTLY MUTHONI MUKOBWA.....SUBSTITUTED FOR
JOEL MUKOBWA MWONGERA).....PLAINTIFF**

VERSUS

**KENYA PENTECOSTAL HOLINESS CHURCH WIRU BRANCH
THROUGH REGISTERED TRUSTEES.....DEFENDANT**

RULING

1. This suit had been slated for hearing on **13th February, 2018**. **Mr. I. C. Mugo**, the plaintiff's advocate told the court that he was ready to participate in the proceedings.
2. Miss Munga, the defendant's advocate told the court that her witnesses were not in court. As such she was not ready to proceed with the hearing. She offered no explanation as to why her witnesses were not in court.
3. This court was inclined to dismiss this suit against the defendant in accordance with the applicable legal provisions **BUT** in the interest of justice I have resolved to give the defendant a last chance to prosecute its defence. It is ordered as follows:

1.This suit will be heard on 5th March, 2018.

2.Court will take action should the defendant's witness fail to come to court to participate in the apposite hearing proceedings.

4. Costs shall be in the cause.

5. It is so ordered.

Delivered in open court at Chuka this **19th day of February, 2018** in the presence of:

CA: Ndegwa

I.C Mugo present for the plaintiff

Defendant's advocate – absent

Gabriel Seth Keen Muriuki – pastor of the defendant

P.M. NJOROGÉ

JUDGE