

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT CHUKA

CHUKA ELC CASE NO. 208 OF 2017

FORMERLY MERU ELC NO. 169 OF 2013

LUCY KARAUKI KIRAMBIA (suing as the

legal representative of the estate of

Peter Muriungi Kaunga (deceased).....PLAINTIFF

VERSUS

MUTHENGI M'MWATHI

MUTHIGU & 3 OTHERS.....DEFENDANTS

RULING

1. The parties were ordered to come for hearing of this suit on **8.5.2018**. However, only the plaintiff and his one witness turned up. The defendants did not come to court. I find that today's hearing date had been properly served upon them.

2. In the circumstances, I have no option but to invoke the provisions of **order 12 Rule 1 of the Civil Procedure Rules** and Order that hearing of the suit proceeds ex-parte.

3. It is so ordered.

Delivered in open court at Chuka this 8th day of May, 2018 in the presence of:

CA: Ndegwa

Mwanzia for the plaintiff

P. M. NJORGE

JUDGE