

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELCCASE NO 127 OF 2017

FORMERLY MERU ELCCASE NO.62 OF 2016

MIRITI MBUI MUTHARA.....PLAINTIFF

VERSUS

SIDIAN BANK LIMITED.....1ST DEFENDANT

LEWTON VENTURES.....2ND DEFENDANT

REGENT AUCTIONEERS.....3RD DEFENDANT

RULING

1. The parties in this matter indicated on **30th May, 2018** that Kshs.8,000,000/= had been deposited with Sidian BANK, Chuka Branch. Sidian Bank is the 1st defendant.
2. Mr. Mungai Wainaina, the counsel holding brief for Mr. Rurige, who represents the 1st and 3rd defendants told the court that the parties expected to file the consent marking this suit as withdrawn and settled during the next date for mention for directions. By 21st June, 2018, no consent had been filed. Mr. Mark Muriithi, for the plaintiff asked the court to mark the suit as having been withdrawn and settled.
3. It is noted that the agreed and negotiated sum of Kshs.8,000,000/= has been deposited with the 1st defendant. This court is not willing to any longer being used as a negotiating point. There is need to save precious judicial time.
4. In the circumstances, this suit is marked as withdrawn and settled with no order as to costs.
5. It is so ordered.

Delivered in open court at Chuka this 21st day of June, 2018

in the presence of:

CA: Ndegwa

Mark Muriithi for the plaintiff

Rurige for the 3rd defendant absent

P.M. NJOROGI

JUDGE