



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT THIKA

ELC CASE NO.505 OF 2017

JOSEPH WANGOMBE NGATIA.....PLAINTIFF

VERSUS

KENYA ELECTRICITY GENERATING COMPANY.....DEFENDANT

DIRECTIONS

The Court has considered the evidence on record and there is a dispute as to whether the Plaintiff's whole **10 acres** were affected and acquired or only **0.72 Hectares** was acquired by the Defendant. Further, there is a dispute on the valuation of the land.

For a just determination of the matter;-

- i. The Court finds it prudent to order for a joint valuation of the land value and both parties to contribute for costs of the said valuation.**
- ii. A site visit is necessary to ascertain the extend of the said acquired land.**
- iii. Evidence of witness from surveyor of Kenya is necessary to confirm what acreage was indeed acquired for the purpose of putting up the power station.**
- iv. Matter to be mentioned on 6th November 2018.**

It is so ordered.

Dated, Signed and Delivered at Thika this 19th day of October 2018.

L. GACHERU

JUDGE

In the presence of

M/S Karwitha holding brief for Mr. Orege for the Plaintiff

Mr. Gitau holding brief for M/S Matunda for the Defendant

Lucy - Court clerk.

L. GACHERU

JUDGE

Court – Directions read in open court.

L. GACHERU

JUDGE

19/10/2018