



**REPUBLIC OF KENYA**  
**IN THE ENVIRONMENT AND LAND COURT**  
**AT NAIROBI**  
**MILIMANI LAW COURTS**  
**ELC. CASE NO. 1308 OF 2014**

JOEL NGATIARI.....1<sup>ST</sup> PLAINTIFF

**VERSUS**

MADRIS KERE NJUE.....1<sup>ST</sup> DEFENDANT

JOSEPH GITAU.....2<sup>ND</sup> DEFENDANT

**RULING**

I have considered the Plaintiff's Notice of Motion dated 8<sup>th</sup> October 2014 and the Supporting Affidavit. I have also considered the 1<sup>st</sup> Defendants Replying Affidavit sworn on 22<sup>nd</sup> January 2015.

I direct that the parties do maintain the status quo currently prevailing on the suit property pending the hearing and determination of this suit. Notice of Motion dated 8<sup>th</sup> October 2014 is hereby dismissed. Costs in the Cause. A pre-trial conference shall be held on 12<sup>th</sup> April 2017 before the Deputy Registrar in order to pave way to the full hearing of this suit.

The Plaintiff to serve the Defendants.

**DELIVERED, DATED AND SIGNED AT NAIROBI THIS 24<sup>TH</sup> DAY OF MARCH 2017.**

**MARY M. GITUMBI**

**JUDGE**

In the presence of;

Mr. Kithinji holding brief for Mr. Marete for the Plaintiff

No appearance for the Defendant