



**REPUBLIC OF KENYA**  
**IN THE ENVIRONMENT AND LAND COURT**

**AT NAIROBI**

**MILIMANI LAW COURTS**

**ELC. CASE NO. 1043 OF 2015**

**ALLAN MBURU MURUA..... 1<sup>ST</sup> PLAINTIFF**

**VERSUS**

**MBURU KIMANI..... 1<sup>ST</sup> DEFENDANT**

**NANCY NJERI MBURU.....2<sup>ND</sup> DEFENDANT**

**RULING**

I have considered Notice of Motion dated 21<sup>st</sup> October 2015 and 8<sup>th</sup> February 2016 both filed by the Plaintiff. I have also considered the Defendants further Replying Affidavit sworn on 18<sup>th</sup> February 2016 and Replying Affidavit sworn on 18<sup>th</sup> February 2016 and do hereby order that prayer No. 2 of Notice of Motion dated 8<sup>th</sup> February 2016 be allowed. The remaining prayers therein are declined. Notice of motion dated 21<sup>st</sup> October 2015 is also dismissed.

Costs in the cause.

A Pre-trial conference shall be held before the Deputy Registrar, Environment and Land Court (ELC) on 13<sup>th</sup> April 2017. 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**