

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT
AT NAIROBI
MILIMANI LAW COURTS

ELC. CASE NO. 1011 OF 2015

JOHN NJOROGE MUIGAI.....PLAINTIFF/APPLICANT

VERSUS

EMBAKASI RANCHING

COMPANY LIMITED.....1ST DEFENDANT/RESPONDENT

PAULINE KOKI.....2ND DEFENDANT/RESPONDENT

DANCAN OGOO.....3RD DEFENDANT/RESPONDENT

RULING

I have considered Notice of Motion dated 14/10/15 and the Supporting Affidavit and annexures. I have also considered the 2nd Defendants Replying Affidavit sworn on 28/10/2015 and annexures thereto.

Both parties claim the same parcel of land but each assert a different plot number. The issue can only be fully and finally determined after full trial of this suit.

Accordingly, the application is dismissed, costs in the cause. The parties are directed to observe the status quo currently prevailing until this suit is heard and determined.

A pre-trial shall be held before the Deputy Registrar, Environment and Land Court on 19/4/2017. The Plaintiff to serve the Defendant.

DELIVERED, DATED AND SIGNED AT NAIROBI THIS 24TH DAY OF MARCH 2017.

MARY M. GITUMBI

JUDGE