



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO 55 OF 2017 B

FORMERLY MERU ELC CASE NO. 201 OF 2016

SALLY CHEPNGE'TICH MICHENI.....PLAINTIFF

VERSUS

LOYFORD MUCHIRI MICHENI.....DEFENDANT

RULING

1. This application is dated 15th March, 2017 and seeks orders:

1. THAT there be stay of proceedings pending the hearing and determination of the applicant's application for revocation of grant in the Succession Cause No.2349 of 2013.
2. THAT cost of this application be provided for.

2. The application is supported by the affidavit of LOYFORD MWITI MICHENI sworn on 15th March, 2016 and has the following grounds:

1. THAT this suit land is registered in the name of the applicant pursuant to Nairobi Succession Cause NO.2349 of 2013.
2. THAT the grant in succession cause no. 2349 of 2013 was fraudulently obtained and without involving the applicant.
3. THAT the applicant herein has filed an application for revocation of the grant.
4. THAT the registration of the land parcel in the name of the respondent was not according to the confirmed grant in Nairobi Succession Cause No.2349 of 2013.
5. THAT if the said stay of proceedings is not granted, the Applicant's application in Succession Cause No.2349 of 2013 will be rendered nugatory and especially if the grant is revoked.
6. THAT substantial loss will result to the Applicant unless the orders sought are granted.

3. When the matter came up for directions on 6.4.2017, there was an indication that the application was not opposed.

4. In the circumstances, the application is allowed in terms of prayer 1.

5. Costs shall be in the cause.

6. It is so ordered.

Delivered in open court at Chuka this 6th day of April, 2017 in the presence of:

CA: Ndegwa

Njeru Ithiga for the Plaintiff/Respondent

Momanyi for the Defendant/Applicant

P.M. NJOROGI

JUDGE