



REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
MILIMANI LAW COURTS
ELC CIVIL SUIT NO. 1040 OF 2016

MUTHAIGA LUXURY HOMES LIMITED..... PLAINTIFF

VERSUS

UNITED STATES INTERNATIONAL UNIVERSITY1ST DEFENDANT

MAESTRO CONNECTIONS HEALTH SYSTEMS LTD.....2ND DEFENDANT

H. E. DANIEL TOROITICH ARAP MOI.....3RD DEFENDANT

CHIEF LAND REGISTRAR.....4TH DEFENDANT

DIRECTOR OF SURVEY.....5TH DEFENDANT

ATTORNEY GENERAL.....6TH DEFENDANT

RULING

When this suit came up for mention on 26th April, 2017 Mr. Githara advocate who appears for the Plaintiff drew the attention of the court to the reports on these proceedings which were carried in the Daily Nation Newspaper on 6th October, 2016, 27th October, 2016, 19th January, 2017, 20th January, 2017 which he claimed were neither fair nor accurate. Mr. Githara informed the court that he had lodged a formal complaint on behalf of the Plaintiff with the Media Council Complaints Commission against the media house concerned. Having looked at the reports, I am in agreement with Mr. Githara that some of them are not accurate. As to whether the reports were biased and unfair, I do not wish to make any comment so as not to prejudice the proceedings before the Media Council Complaints Commission. It would also not be fair to make such determination without giving Nation Media Group a hearing. From this court, the message I wish send out is that of a warning to all media houses covering these proceedings to report the proceedings fairly and accurately failure to which they shall be barred from covering the proceedings. I will give liberty to any party aggrieved by any further misreporting or unfair coverage to move the court for such order and other remedies that may be necessary. Those shall be the orders of this court.

Delivered and signed this 2nd day of June, 2017

S. OKONG'O

JUDGE

In the presence of

Mr. Githara	for the Plaintiff
Mr. Sifuma	for the 1 st Defendant
Mr. Okatch	for the 2 nd Defendant
Ms. Nyagah	for the 3 rd Defendant
Mr. Kamau	for the 4 th , 5 th and 6 th Defendant
Ms. Nyokabi	Court Assistant