



REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT
AT CHUKA
CHUKA ELC CASE NO. 114 OF 2017
FORMERLY MERU ELC CASE NO.124 OF 2009

BEATRICE MBAMBA KATHUNI.....PLAINTIFF

VERSUS

HON. ATTORNEY GENERAL.....1ST DEFENDANT

CHIEF LAND REGISTRAR.....2ND DEFENDANT

DISTRICT LAND REGISTRAR MERU SOUTH.....3RD DEFENDANT

MUNICIPAL COUNCIL OF CHUKA.....4TH DEFENDANT

DISTRICT COMMISSIONER MERU SOUTH DISTRICT....5TH DEFENDANT

RULING

1. On 27.7.2017, parties came to court to show cause why this suit should not be dismissed for want of prosecution.

2. Mr. D. J. Mbaya told the court that the 4th defendant was defunct. He said that the plaintiff and the 1st, 2nd, 3rd and 5th defendants had a consent which they wanted the court to adopt as its order. He further told the court that the consent would settle the suit.

3. Mr. Kiongo asked the court to adopt the consent as its order.

4. The consent is in the following terms:

CONSENT

By Consent between the plaintiff s' counsel and the counsel for the 1st, 2nd, 3rd and 5th defendants judgment be and is hereby entered for the plaintiff in the following terms;

1. A declaration that L.P. No. CHUKA TOWNSHIP/197 belongs to BEATRICE MBAMBA KATHUNI.

2. THAT the District Land Registrar Meru South be directed and ordered to remove the caution lodged in the register upon L.P NO. CHUKA TOWNSHIP/197.

3. Each party to bear his/her own costs.

DATED AT CHUKA THIS 27TH DAY OF JULY, 2017

David John Mbaya

Kiongo Justin

Adv for the plaintiff

For Hon Attorney General

For 1st, 2nd & 5th defendants

5. The consent is adopted as an order of this court.

6. For avoidance of doubt, the following orders are issued:

1. A declaration is issued that L.P. NO. CHUKA TOWNSHIP/197 belongs to BEATRICE MBAMBA KATHUNI

2. The District Land Registrar, Meru South is directed and ordered to remove the caution lodged in the register upon L.P. NO. CHUKA TOWNSHIP/197.

3. Parties to bear own costs

4. This suit is marked as settled

Delivered in open court at Chuka this 27th day of July, 2017 in the presence of:

CA: Ndegwa

D.J.Mbaya for the plaintiff

Kiongo for the defendants

P.M. NJOROGE

JUDGE