REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO. 215 OF 2017

FORMERLY EMBU ELC CASE NO.266 OF 2015

FORMERLY MERU ELC CASE NO.8 OF 2015

MUTEGI MUGWETWA.....PLAINTIFF

VERSUS

COUNTY MINISTRY OF LANDS, PHYSICAL PLANNING ENERGY

& ICT COUNTY GOVERNMENT OF THARAKA NITHI …….....…..1ST DEFENDANT

COUNTY GOVERNMENT OF THARAKA NITHI DIRECTOR GENERAL.....2ND DEFENDANT

(KENYA URBAN RURAL AUTHORITY)…….....…..…….3RD DEFENDANT

KENYA URBAN ROADS AUTHORITY…….....….....4TH DEFENDANT

THE REGIONAL MANAGER-UPPER EASTERN

(KENYA URBAN ROADS AUTHORITY) ……...…...5TH DEFENDANT

TERRITORIAL WORKS (K) LTD…….....…….6TH DEFENDANT

RULING

1. Pending the court's ruling on jurisdictional issues appertaining to this suit which concern proceedings that took place in the High Court before the Supreme Court pronounced itself on the jurisdiction of the High Court vis-à-vis Courts of equal status, the parties proffered a consent to maintain status quo which consent is in the following terms:

> ***"The status quo be maintained restraining the defendants either by themselves, their agents or servants and other interested parties form demolishing plaintiff's commercial building erected on Chuka Town, No. 3 and 4 pending the ruling."***

2. The consent is adopted as an order of this court and the said order takes effect immediately.

3. The ruling concerning the jurisdictional issues raised by the parties to be delivered on **31.7.2017**.

Delivered in open court at Chuka this **11th day of July, 2017** in the presence of:

CA: Ndegwa

Mwiti h/b Murango Mwenda for 1st defendant

Murimi Murango for the plaintiff

Miss Kungu for 3rd, 4th and 5th defendants

Miss Kungu h/b Waweru for proposed interested party

P. M. NJOROGE

JUDGE