



REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT

AT CHUKA

CHUKA ELC CASE NO 86 OF 2017

PATRICK GITARI KENYA.....1ST PLAINTIFF

ALEXANDER NJUE MICAH (SUING AS LEGAL

ADMINISTRATOR OF THE ESTATE OF MICHAEL ANAMPIU)....2ND PLAINTIFF

VERSUS

FELIX MURITHI.....1ST DEFENDANT

OSWARD NYAGA.....2ND DEFENDANT

RULING

1. The plaintiff's advocate has filed a request for judgment against the defendant. He does not indicate under what rule he requests the judgment.
2. Order 10 Rule 6 deals with interlocutory judgments where what is claimed concerns pecuniary damages or detention of goods.
3. Order 10 Rule 9 requires the plaintiff to set down the suit for hearing if no appearance has been made such as claimed in this case.
4. In the circumstances, this request for judgment is dismissed.
5. The plaintiffs are ordered to fully comply with order 11, CPR, if they have not already done so, and to serve compliance documents upon the defendants within 14 days of today.
6. The plaintiffs are ordered to serve the orders issued by this court today upon the defendants within 10 days of today so that the defendants may be present in court during the next date for directions.
7. Parties to come to court for directions on 24.10.2017.
8. It is so ordered.

Delivered in open court at Chuka this **28th day of September, 2017** in the presence of:

CA: Ndegwa

Patrick Gitari – 1st plaintiff

Alexander Njue – 2nd plaintiff

P. M. NJORGE,

JUDGE