



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT AT CHUKA**

**CHUKA ELC CIVIL APPEAL CASE NO 128 OF 2017**

**FORMERLY MERU ELC CIVIL APPEAL CASE NO. 22 OF 2013**

**NJERU MUGERA.....APPELLANT**

**VERSUS**

**JEMIMAH NKIROTE NJAGI.....RESPONDENT**

**RULING**

1. The Chuka PMCC's court in PMCC No. 20 of 2007 held that the applicant was entitled to one half of parcel No. MAGUMONI/MUKUUNI/313.
2. This court vide Meru HCCA No. 22 of 2013 upheld the decision of the lower court.
3. The implementation of this court's judgment has been delayed by the parties through various activities, the effect of which was to inordinately frustrate the required implementation.
4. On 25<sup>th</sup> July, 2017, this court gave definitive directions and warned the parties that frivolous applications and activities would no longer be condoned.
5. Vide his letter dated 15.9.2017, the District Surveyor Chuka has confirmed the status of the suit land as follows:
  1. Magumoni/Mukuuni/3435 is registered in the name of Njeru Mugera.
  2. Magumoni/Mukuuni/3436 is registered in the name of Jemima Nkirote.
6. Advocate Wilfred Kirimi representing the Appellant has asked the court to mark the matter as settled.
7. This matter is marked as settled. The file should be removed from the register of pending cases.
8. It is so ordered.

Delivered in open court at Chuka this **27<sup>th</sup> day of September, 2017** in the presence of:

CA: Ndegwa

Wilfred Kirimi for Appellant/Respondent

**P. M. NJOROGE**

**JUDGE**