

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT
AT NAIROBI
MILIMANI LAW COURTS
ELC. CASE NO. 322 OF 2015

KASARANI YOUNG GENERATION GROUP

(SUING THROU ITS OFFICIALS)

JAMES MBURU NUTHU

TABITHA THURANIRA

JULIA AYOTI ALPHAYO.....PLAINTIFFS

VERSUS

SPORTS STADIA MANAGEMENT BOARD.....1ST DEFENDANT

GABRIEL KOMORA.....2ND DEFENDANT

SPORTS KENYA.....3RD DEFENDANT

RULING

I have considered Notice of Motion dated 23rd April, 2015 in which the Plaintiff Applicant seeks an order of temporary injunction in respect of a parcel of land described as “Land situated along Gitwamba slums and around the Ruaraka River within Nairobi County”.

I have considered the Defendant’s Notice of Preliminary Objection dated 9th June 2015 in which they object to the Application on the ground that the Applicants have not disclosed any registered or equitable interest in any specific named parcel of land. I uphold the Preliminary Objection because the Plaintiffs have not laid claim to any particular identifiable parcel of land. The Application is dismissed with costs to the Defendants.

DELIVERED, DATED AND SIGNED AT NAIROBI THIS 22ND DAY OF SEPTEMBER 2017.

MARY M. GITUMBI

JUDGE