



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO 87 OF 2017

MAGAMBO THAMBO.....PLAINTIFF

VERSUS

DICKSON KIRIMI IKIARA..... 1ST DEFENDANT

DLASO MERU SOUTH/MAARA SUB COUNTY....2ND DEFENDANT

HON. ATTORNEY GENERAL.....3RD DEFENDANT

RULING

1. The plaintiff, on 15.6.2017 filed a request for interlocutory judgment which is in the following terms

“REQUEST FOR INTERLOCUTORY JUDGMENT”

(Under Order 10 Rules 6 of the Civil Procedure Rules 2010)

The Plaintiff herein i.e. **MAGAMBO THAMBO** humbly requests for Interlocutory Judgment against the 1st Defendant who despite being served by summons & plaint together with other documents on 13th February, 2017 has so far failed to enter appearance or file his documents.

DATED AT MERU THIS 15th day of June, 2017

FOR: WAMACHE AND ASSOCIATES

ADVOCATES FOR THE PLAINTIFF

2. This request was brought to the attention of the court by Mr. Omari who was holding brief for the plaintiff’s advocate.

3. Upon perusal of the plaint it is noted that there is no claim for pecuniary damages.

4. In the circumstances, the request is denied.

5. Costs shall be in the cause.

6. It is so ordered.

Delivered in open court at Chuka this 31st day of October, 2017 in the presence of:

CA: Ndegwa

Omari h/b Wamache for the plaintiff

Dickson Kirima Ikiara – 1st defendant

P. M. NJORGE

JUDGE