

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT OF KENYA AT CHUKA

CHUKA ELC CIVIL APPEAL CASE NO 80 OF 2017

FORMERLY MERU ELC CASE NO. 63 OF 2013

JOHN MUNUGU MBAYA.....PLAINTIFF

VERSUS

GRACE MWATHA MUKEMBU.....DEFENDANT

RULING

1. This is a matter that was heard by the District Land Disputes Tribunal. An appeal was lodged at the Provincial Appeals Committee but Provincial Appeals Committees became defunct by operation of the law following the repeal of the Land Disputes Tribunals Act before the appeal was heard and finalized.
2. Appeals come to this court on points of law from the defunct Provincial Appeals Committees. Where the Appeals Committees have not finalized a case, no appeal can come to this court.
3. I find that there is no appeal properly filed in this case. This court has no jurisdiction to handle this matter.
4. This file should be removed from the list of pending appeal cases.
5. It is so ordered.

Delivered in open court at Chuka this **16th day of October, 2017** in the presence of:

CA: Ndegwa

IC Mugo for the Appellant

Grace Maatha Mukembu - Respondent

P.M. NJOROGE

JUDGE