



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT MERU

ELC PETITION NO. 32 OF 2016

IN THE MATTER OF ARTICLE 22(1) OF THE CONSTITUTION OF KENYA 2010

AND

**IN THE MATTER OF ALLEGED CONTRAVENTION OF RIGHTS AND FUNDAMENTAL
FREEDOMS UNDER ARTICLE 40(1), 48, 50(1) OF THE CONSTITUTION OF KENYA 2010**

AND

IN THE MATTER OF SECTION 90, 96(2), 97 OF THE LAND ACT

AND

IN THE MATTER OF RULE 11 (B)(x) OF THE AUCTIONEERS RULES

AND

**IN THE MATTER OF THE CONSTITUTION OF KENYA (PROTECTION OF
RIGHTS AND FUNDAMENTAL FREEDOMS AND ENFORCEMENT OF
THE CONSTITUTION) PRACTICE AND PROCEDURE RULES, 2013**

BETWEEN

M'ANYIRI HANNINGTON GITARI.....1ST PETITIONER

JAMES M'ITONGA MIRIANGA.....2ND PETITIONER

VERSUS

YETU SACCO LTD.....1ST RESPONDENT

I.G. RINGERA T/A VIEWLINE AUCTIONEERS....2ND RESPONDENT

RULING ORDER

I find that the application of 11.11.16 is apparently supported by the affidavits of Hannington Gitari and James M'Itonga Mirianga. I am not able to find the affidavit of 2nd Petitioner and the Ruling is hence put on hold for the Petitioners Counsel to avail the aforementioned document.

DELIVERED, SIGNED AND DATED IN OPEN COURT AT MERU THIS 4TH DAY OF OCTOBER, 2017 IN THE PRESENCE OF:

CA: Janet

Ojiambo for Petitioners present

Miss Muna h/b for Kiautha Arithi for Respondent present

Munene for 1st Respondent present

Hon. L.N. MBUGUA

ELC JUDGE