

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC MISCELLANEOUS APPLICATION CASE NO 18 OF 2017

DAMWANA KENYA LTD.....APPLICANT

VERSUS

JUNIUS NYAGA NJIRU.....1ST RESPONDENT

FRED MWANDA NYAGA.....2ND RESPONDENT

LOPISE KAARI NJENGA.....3RD RESPONDENT

RULING

1. This application is dated **24.4.2017** and seeks orders:

1.That the CMC CIVIL SUIT NO. 51 of 2015 at Chuka be transferred to environment and land court at Chuka for hearing and disposal of the matter therein.

2.That cost of this application be provided.

2. The application has one ground which states the presiding magistrate advised the applicant to transfer his suit to the ELC Court.

3. Magistrates' courts can now hear and determine land matters. It is ordered as follows:

1. This application is deemed heard and determined.

2. Matters raised in this application to be heard and determined in Chuka CMC Civil Suit No. 51 of 2015.

3. Costs shall be in the cause.

Delivered in open court at Chuka this **6th day of December, 2017** in the presence of:

CA: Ndegwa

Parties absent

P.M. NJOROGE

JUDGE