



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC MISCELLANEOUS APPLICATION CASE NO 2 OF 2017

KAANWA P.C.E.A. HEALTH CENTRE (SUING THROUGH WILFRED MUGAMBI

MWITHIMBU(CHAIRMAN).....1ST APPLICANT

JAFFORD MUGAMBI NJAGI (SECRETARY).....2ND APPLICANT

ISAAC MUGO (COMMITTEE MEMBER).....3RD APPLICANT

VERSUS

THARAKA NITHI COUNTY GOVERNMENT.....RESPONDENT

RULING

1. This application is dated 17th February, 2017 and seeks orders:

1. That this honourable court be pleased to transfer Chuka Civil Case No. 87 of 2014 and all proceedings thereof to this honourable court for trial and disposal.
2. That costs of this application be provided for.

2. The application has the following grounds.

1. That the matter in question herein is a land dispute within the definition set out in Article 162 of the Constitution of Kenya 2010.
2. That as such, this suit should be transferred to this honourable court for hearing and disposal.

3. As magistrates now have jurisdiction to hear land matters falling within their pecuniary jurisdiction, it is ordered as follows:

1. This application is deemed heard and determined.
2. The issues in dispute are to be heard vide Chuka Civil Case No. 87 of 2014

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

CA: Ndegwa

Parties absent

P.M. NJORGE

JUDGE