

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT NAIROBI

ELC. CASE NO. 141 OF 2007 (O.S)

JOSEPH THUGO GICHUHI.....1ST APPLICANT

MICHAEL CHEGE.....2ND APPLICANT

VERSUS

TERESIAH WANJIKU NJUGUNA.....RESPONDENT

RULING

It is noted that the first Plaintiff has tendered his evidence. After the 1st Plaintiff closed her evidence, it was brought to the attention of this court that 2 brothers of the 1st Plaintiff have another case against the Defendant involving the same portion of land the Plaintiffs are claiming in this suit. This suit is ELC 24 of 2014.

Quite rightly, the advocates representing the parties are of the opinion that it may be desirable to consolidate the 2 suits to obviate the possibility of conflicting decisions being made by 2 Judges who possess similar horizontal jurisdiction.

In the circumstances, I direct as follows: -

1. This matter be mentioned before the Hon. Lady Justice Gacheru on 12/2/2016 when the Judge will be delivering a ruling in ELC. 24 of 2014.
2. The parties do canvass their views regarding consolidation of ELC 141 of 2007 and ELC. 24 of 2014 in a manner that will be directed by the Hon. Lady Justice Gacheru.

It is so ordered.

Delivered in open Court at Nairobi this **20th** day of **January, 2016** in the presence of: -

Court clerk – Daniel

Mutiso for the Plaintiffs

Mary Muigai for the Defendants

P.M. NJOROGE

JUDGE