



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT OF KENYA

AT NAKURU

ELC NO. 77 OF 2015

BETTY MUKUI (Suing as the administrator of the estate

of JOSEPH MAKORI JUMA) (Deceased).....1st PLAINTIFF

JACQUELYNE KWAMBOKA MAKORI (Suing as the Administrator of

THE ESTATE OF JOSEPH MAKORI JUMA (Deceased).....2nd PLAINTIFF

VERSUS

KENNEDY OSIMBA.....1ST DEFENDANT

REGISTRAR NAKURU LANDS REGISTRY.....2ND DEFENDANT

RULING

1. The application herein is that dated 3 March 2016 seeking to amend the plaint.
2. In the plaint as filed, the plaintiff has sued one Kennedy Osimba and the Land Registrar Nakuru. In this application, the plaintiff wishes to add the Attorney General as 3rd defendant. It is the view of the plaintiffs that the presence of the Attorney General is necessary pursuant to Section 2 (1) of the Government Proceedings Act since the Land Registrar is an employee of Government .
3. I have no problem allowing the application which is otherwise not opposed. I direct that the amended plaint be filed and served in 14 days.
4. The plaintiffs will however shoulder the costs of the application, as they had opportunity to file a proper plaint in the first instance.
5. It is so ordered.

Dated, signed and delivered in open Court at Nakuru this 16th day of March 2016.

MUNYAO SILA

JUDGE

ENVIRONMENT & LAND COURT

AT NAKURU

In presence of :

Ms. Chege for plaintiffs/applicant

Mr Nyamwange present for 1st defendant

No appearance on part of 2nd defendant

MUNYAO SILA

JUDGE

ENVIRONMENT & LAND COURT

AT NAKURU