



REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT OF KENYA
AT NAKURU
ELC NO 35 OF 2015

VIJAY KANT WALIA.....1ST PLAINTIFF

RAJ WALIA.....2ND PLAINTIFF

VERSUS

SHALINI DACUNHA.....1ST DEFENDANT

RANJANA AHLUWALIA.....2ND DEFENDANT

MEERA CHAUDHREY.....3RD DEFENDANT

ANITA PIRBHAI.....4TH DEFENDANT

C BONSER & CO LTD.....5TH DEFENDANT

RULING

(Application to serve process out of jurisdiction; defendants residing within commonwealth countries; service ordered to be through an internationally recognized courier company).

1. I have considered the subject application which seeks to serve process out of jurisdiction. The plaintiff in the Supporting Affidavit has stated the specific addresses of the defendants.

2. Order 5 Rule 27 provides that where the summons are to be served upon a defendant who resides in a commonwealth country, the summons shall be served in such manner as the court may direct.

3. The defendants sought to be served are located in Canada, and Botswana. They are both commonwealth countries. In the Supporting Affidavit, the plaintiff has provided their physical addresses. In my view service can effectively be effected if summons are sent by an internationally recognized courier service. I therefore permit the plaintiff to serve process using this method. I further direct that this order be extracted and be served alongside the summons, pleadings, applications filed and all other orders made herein.

It is so ordered.

Dated, signed and delivered in open court at Nakuru this 5th March 2015.

MUNYAO SILA

JUDGE

ENVIRONMENT AND LAND COURT

AT NAKURU

In presence of: -

Mr. Morintat holding brief for Mr Waiganjo

Mr Mwangi for the plaintiffs

Emmanuel Maelo : Court Assistant

MUNYAO SILA

JUDGE

ENVIRONMENT AND LAND COURT

AT NAKURU