



**Maeku & 60 others v Masikonde & 7 others (Environment & Land  
Case 44 of 2017) [2024] KEELC 3899 (KLR) (30 April 2024) (Ruling)**

Neutral citation: [2024] KEELC 3899 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT NAROK  
ENVIRONMENT & LAND CASE 44 OF 2017**

**CG MBOGO, J**

**APRIL 30, 2024**

**BETWEEN**

**JOSEPH MALIT MAEKU & 60 OTHERS & 60 OTHERS & 60 OTHERS & 60  
OTHERS ..... PLAINTIFF**

**AND**

**NKURUNAH OLE MASIKONDE & 7 OTHERS & 7 OTHERS & 7 OTHERS & 7  
OTHERS ..... DEFENDANT**

**RULING**

1. Pursuant to an order dated 28<sup>th</sup> November, 2022, the parties herein agreed to compromise the pleadings and instead, have the District Surveyor and the District land Registrar visit the suit property, ascertain the boundaries, and confirm the acreage and thereafter file a report in court.
2. Indeed, a report was filed, dated 30<sup>th</sup> November, 2023. The plaintiff filed their written submissions dated 28<sup>th</sup> February, 2024. The defendants filed their written submissions dated 12<sup>th</sup> March, 2024.
3. According to the plaintiffs', they felt that the report was 90% complete save for a few issues. On the other hand, the defendants and the Attorney General, were contented with the report and prayed that the same as the decision of the court.
4. Having considered the submissions filed by the parties, and whereas the plaintiff maintains that there are issues that need to be sorted out, I propose that for the remainder of the issues which the plaintiff has raised, that the parties explore Alternative Justice System. On 19<sup>th</sup> April, 2024, the Deputy Chief Justice launched the AJS Narok County Action Plan, giving way to the people of Narok County to settle disputes through alternative means available to them.
5. The instant case before this court is suitable for AJS since the parties have made great strides to see to it that the matter is finally put to rest. I propose that parties proceed to AJS through the Liaison office



for determination of the remaining issues. I believe that 90 days would be sufficient to the parties to agree and arrive at a fair conclusion.

6. Mention on 17<sup>th</sup> September, 2024 to confirm the progress of the matter before AJS. It is so ordered.

**DATED, SIGNED & DELIVERED VIA EMAIL ON THIS 30<sup>TH</sup> DAY OF APRIL, 2024.**

**HON. MBOGO C.G.**

**JUDGE**

