



Nduta & 2 others (Suing in Their Capacity as Officials of Ngando Harambee Women Group) v Mukabi & another (Environment & Land Case 1285 of 2015 & 327 of 2017 (Consolidated)) [2024] KEELC 4101 (KLR) (15 May 2024) (Ruling)

Neutral citation: [2024] KEELC 4101 (KLR)

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT & LAND CASE 1285 OF 2015 & 327 OF 2017 (CONSOLIDATED)
LN MBUGUA, J
MAY 15, 2024

BETWEEN

GRACE NDUTA 1ST PLAINTIFF
AGNES WANJIKU 2ND PLAINTIFF
LUCY WAMBUI 3RD PLAINTIFF
SUING IN THEIR CAPACITY AS OFFICIALS OF NGANDO HARAMBEE
WOMEN GROUP

AND

HANNAH NDUTA MUKABI 1ST DEFENDANT
ELIUD MBUTHI KAMAU 2ND DEFENDANT

AS CONSOLIDATED WITH
ENVIRONMENT & LAND CASE 327 OF 2017

BETWEEN

GRACE NDUTA 1ST PLAINTIFF
AGNES WANJIKU 2ND PLAINTIFF
LUCY WAMBUI 3RD PLAINTIFF
SUING IN THEIR CAPACITY AS OFFICIALS OF NGANDO HARAMBEE
WOMEN GROUP

AND

HANNAH NDUTA MUKABI 1ST DEFENDANT



RULING

1. I have perused the application dated 5.4.2024 as well as the Replying Affidavit dated 14.5.2024. A reading of paragraph 7 of the said Replying Affidavit indicates that execution of the decree is underway. If this court was to give directions for the prosecution of the application through written submissions and or if a ruling thereof is deferred, the ultimate decision may turn out to be on academic exercise.
2. I have also considered that judgment was delivered way back in January 2024, thus the applicants have had about 4 months to pursue their appeal.
3. Having regard to the circumstances of this case, I hereby allow the application dated 5.4.2024 in the following terms;
 1. I grant a stay of the judgment for 60 days from today.
 2. The Applicants are condemned to pay costs of the application.
 3. The file is marked as closed.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 15TH DAY OF MAY, 2024 THROUGH MICROSOFT TEAMS.

LUCY N. MBUGUA

JUDGE

In the presence of:-

Kiprono for Defendants

Njuguna holding brief for Ngura Kamau for Plaintiffs

Court assistant: Eddel

