



**Mwabeja Clan Welfare v Jira & 5 others (Environment & Land Case 93 of 2021) [2024] KEELC 5811 (KLR) (31 July 2024) (Ruling)**

Neutral citation: [2024] KEELC 5811 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT MALINDI  
ENVIRONMENT & LAND CASE 93 OF 2021**

**FM NJOROGE, J**

**JULY 31, 2024**

**BETWEEN**

**MWABEJA CLAN WELFARE ..... PLAINTIFF**

**AND**

**SANJAY SAMJI JIRA ..... 1<sup>ST</sup> DEFENDANT**

**KENNEDY KIPYEGO KOSGEI ..... 2<sup>ND</sup> DEFENDANT**

**GEORGE NDUNG'U MAINA ..... 3<sup>RD</sup> DEFENDANT**

**DIRECTOR OF SURVEYS ..... 4<sup>TH</sup> DEFENDANT**

**REGISTRAR OF TITLES ..... 5<sup>TH</sup> DEFENDANT**

**ATTORNEY GENERAL ..... 6<sup>TH</sup> DEFENDANT**

**RULING**

1. For the reason that Mr Ondabu has not complied with the order made on 6/3/2024 and the exhibit he requested to be returned to the Mombasa law courts is not available this court will defer the completion of the judgment until the said exhibit is availed. The deputy Registrar shall call for the said record and attach it to this file. This matter shall be mentioned on 8/10/2024 to ascertain availability of the record and issuance of a fresh judgment date.

**RULING DATED, SIGNED AND DELIVERED AT MALINDI ON THIS 31<sup>ST</sup> DAY OF JULY 2024.**

**MWANGI NJOROGE**

**JUDGE, ELC MALINDI**

