



Shella Resort Kenya Limited & another v Bustani Siri ya Njano Limited (Environment & Land Case 95 of 2024) [2024] KEELC 13274 (KLR) (14 November 2024) (Ruling)

Neutral citation: [2024] KEELC 13274 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MALINDI
ENVIRONMENT & LAND CASE 95 OF 2024
FM NJOROGE, J
NOVEMBER 14, 2024**

BETWEEN

SHELLA RESORT KENYA LIMITED PETITIONER

AND

ELY COMPANY LIMITED PLAINTIFF

AND

BUSTANI SIRI YA NJANO LIMITED DEFENDANT

RULING

1. The ruling on the application dated 27/9/2024 in the above mentioned matter was scheduled for delivery today. Parties had urged for an early ruling date. However, in the course of finalising the ruling and before the ruling was delivered the parties filed through on the CTS on the ruling date 14/11/24 at 9:45 am through one of the law firms involved Hamilton Harrison & Matthews a letter dated 13/11/2024 the summary of which is that the parties have arrived at a consent which they had failed to do earlier when they were granted time by this court and consequently the ruling scheduled for this matter will be held in abeyance until the parties appear before this court and confirm the terms of the consent. Mention on 20/11/2024. Parties to attend virtually.

RULING DATED, SIGNED AND DELIVERED AT MALINDI VIA ELECTRONIC MAIL ON THIS 14TH DAY OF NOVEMBER, 2024.

MWANGI NJOROGE

JUDGE, ELC, MALINDI

