



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**MILIMANI LAW COURTS**

**ENVIRONMENT AND LAND COURT**

**ELC. CASE NO. 160 OF 2013**

**HENRY NZIOKA MULLI.....PLAINTIFF**

**VERSUS**

**MATUNGULU FARMERS CO. LTD. ....1<sup>ST</sup> DEFENDANT**

**FRANCIS MUNUVE KASYI.....2<sup>ND</sup> DEFENDANT**

**EDMOND KOMBO.....3<sup>RD</sup> DEFENDANT**

**RULING**

I have studied Notice of Motion dated 31/1/2013 and the Notice of Preliminary Objection dated 10/6/2013. I have further studied the Replying Affidavits filed by the Defendants and the further Affidavit filed by the Plaintiff/Applicant and do order as follows:

1. The Notice of Motion dated 31/1/2013 and Preliminary Objection dated 10/6/2013 be deemed as dispensed with as follows:

That the interim orders hereby issued to the Plaintiff/Applicant be and are hereby confirmed to remain in force until this suit is fully heard and determined.

2. That a date for the pre-trial conference be given in order to pave way for the main hearing of this suit.

It is so ordered.

**DELIVERED AND SIGNED AT NAIROBI THIS 11<sup>TH</sup> DAY OF MARCH 2016.**

**MARY M. GITUMBI**

## JUDGE



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