**REPUBLIC OF KENYA**

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

**ENVIRONMENTAL AND LAND COURT DIVISION**

**ELC NO………………. OF 20…………………**

**XXX……………………………………………… ……………………....……………..…..…PLAINTIFF**

**-VERSUS-**

**YYY………………………………………....……………….………….…….…………..DEFENDANTS**

**-AND-**

**KKK…………………………………… ..…PROPOSED INTERESTED PARTY/APPLICANT**

**CHAMBER SUMMONS**

### *(Under Sections 1A and 1B, 3A and 63 (e), of the Civil Procedure Act, Cap 21 Laws of Kenya, Order I Rules 10 (2) & 25 of the Civil Procedure Rules,2010 and all other enabling provisions of the Law)*

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**LET ALL PARTIES CONCERNED** attend this Honourable Judge in chambers on the………day of………………..20…. at 9.00 O’clock in the forenoon or so soon thereafter when Counsel for the Intended Interested Parties/Applicants (hereinafter "the Applicants”) shall be heard on an Application for the following Orders namely;

1. **THAT** the Applicant be enjoined as an Interested Party in this suit;
2. **THAT** the Costs of this Application be provided for.

**WHICH APPLICATION** is based on the following grounds that:-

1. The Applicant is the beneficial owner of one of the suit properties herein known as Nairobi Block ………………. by virtue of having vested in him by transmission in consequence of succession proceedings taken out in respect of his late father being ……………………….. (Deceased). .
2. In the circumstances, the Applicant is intimately connected with these proceedings and the outcome hereof and is therefore a necessary party for the purposes of fair and just adjudication of the dispute herein.
3. In view of the foregoing, it is meet and in the interests of justice that the Application filed herewith be allowed.

**AND WHICH APPLICATION** is further grounded on the annexed Affidavit of **KKK,** the Applicant herein and such other or further grounds as may be adduced at the hearing hereof.

**DATED** at **NAIROBI** this…………………….day of……………………………………….**20…**.

**…………………………………………………**

##### **CM ADVOCATES LLP**

###### **ADVOCATES FOR PROPOSED INTERESTED PARTY/APPLICANT**

**DRAWN & FILED BY:**

**CM ADVOCATES LLP**

I & M BANK HOUSE, 7TH FLOOR

2NDNGONG AVENUE

P.O. BOX 22588-00505

**NAIROBI.**

**EMAIL:** [law@cmadvocates.com](mailto:law@cmadvocates.com)

**TEL:** 0716209673

**TO BE SERVED UPON:-**

**PLAINTIFF’S ADVOCATES**

ADDRESS

**DEFENDANTS’ ADVOCATES**

ADDRESS

***Note:*** *“If any party served does not appear at the time and place above-mentioned such orders will be made and proceedings taken as the Court may think just and expedient.”*

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**AND**

**KKK…………………………………… ……………………… PROPOSED INTERESTED PARTY**

**SUPPORTING AFFIDAVIT**

I, **KKK,** residing in …………………. and of P.O Box Number ………………….,……………..do make oath and state as follows:-

1. **THAT** I am an adult male of sound mind and disposition. I have full knowledge and information concerning this matter and as such I am competent to swear this Affidavit.
2. **THAT** I have read and where necessary had explained to me by my Advocates, **CM ADVOCATES LLP** and have understood the contents of the Chamber Summons filed herewith and in support thereof, I state as follows.
3. **THAT** I am the beneficial owner of one of the suit properties herein claimed by the Plaintiff known as ………………….by virtue of the same having been vested in me in consequence of succession proceedings taken out in respect of my late father being ………………………….(Deceased). ***(A true copy of Grant and Certificate are annexed hereto and marked “KKK-1.”)***
4. **THAT** 1st Defendant in the suit herein, …………………(state name), is my brother and he has shown me the copies of the pleadings, applications and supporting documents served upon him by the Plaintiff.
5. **THAT** I have also seen the Replying Affidavit sworn by my brother on …………………..and wish to adopt and reiterate all the matters stated therein.
6. **THAT** the said property was owned by my father who died in the year…………….., which property was, alongside others, allocated to him by the 2nd Defendant and was identified in the Allocation Map No. 3 used in the allocation as No. ……………. as deponed by the 1st Defendant in the Replying Affidavit, the contents whereof I fully adopt and reiterate herein.
7. **THAT** as the beneficial owner of the said property, I am intimately connected with these proceedings and the outcome thereof and I have been advised by the Applicant’s Advocate, which advice I verily believe to be correct that I am a necessary party for the purposes of fair and just adjudication of the dispute herein.
8. **THAT** I verily believe that it is meet and in the interests of justice that the Application filed herewith be allowed and swear this Affidavit in support thereof.
9. **THAT**  what is deponed to herein is true to the best of my knowledge and information save as to matters deponed to on information sources whereof have been disclosed.

**SWORN** at Nairobi by the )

said **KKK** )

this day of 20….. )

**BEFORE ME** )……………………………………………..

) **DEPONENT**

)

)

**COMMISSIONER FOR OATHS** )

**DRAWN & FILED BY:**

**CM ADVOCATES LLP**

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