



**Tenna & another v Nakuru County Land Registrar & 4 others; Bii (Interested Party)
(Environment & Land Case E16 of 2022) [2023] KEELC 16295 (KLR) (16 March 2023) (Ruling)**

Neutral citation: [2023] KEELC 16295 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAKURU
ENVIRONMENT & LAND CASE E16 OF 2022**

**A OMBWAYO, J
MARCH 16, 2023**

BETWEEN

PETER H TENNA 1ST APPLICANT

WYCLIFFE WINSTON WAITA 2ND APPLICANT

AND

NAKURU COUNTY LAND REGISTRAR 1ST RESPONDENT

NAKURU COUNTY LAND SURVEYOR 2ND RESPONDENT

**NAKURU COUNTY LAND CONTROL BOARD CHAIRMAN 3RD
RESPONDENT**

THE COMMISSIONER OF LANDS 4TH RESPONDENT

ATTORNEY GENERAL 5TH RESPONDENT

AND

PAUL KIPKURUI BII INTERESTED PARTY

RULING

1. Before me are two applications; one dated February 8, 2023 and another one dated February 21, 2023. In the one dated February 8, 2023, the applicant is Paul Kipkurui Bii who seeks to be enjoined in the suit as an interested party to shed more light on new evolving crucial tangible information to enable the court to make a fair determination of the matter.
2. Though the application is not opposed, the applicant has not demonstrated any interest in the suit property other than knowledge of some events. The applicant has no claim in the property but intends to give the court some very important facts.



3. I do find, the application not merited as the applicant can come to court as a witness and therefore the same is dismissed with no order as to the costs.
4. In the application dated February 21, 2023, the applicants are Peter H Tenna and Wycliffe Winston Waita who seek that the court issues orders Nakuru War Memorial Hospital Management and the Aga Khan Hospital Management to hand over certificate of original Medical report notification of death, police report cremation report and mortuary disposal clearance for the deceased remains from their health facilities after February 16, 2023 and that the court to enhance the orders of April 1, 2022 on this application. I have perused the file and do not see the order enjoining Nakuru War Memorial Hospital Management and the Aga Khan Hospital Management into the matter and therefore I can't issue orders against them hence the application is equally dismissed with no orders as to costs. This matter be mentioned on March 23, 2023 for directions. The applicant to serve the parties.

RULING DATED, SIGNED AND DELIVERED VIA EMAIL AT NAKURU THIS 16TH DAY OF MARCH 2023.

A O OMBWAYO

JUDGE

