



**Moschion v Mwangi (Environment & Land Case 350 of 2018)
[2023] KEELC 17143 (KLR) (27 April 2023) (Ruling)**

Neutral citation: [2023] KEELC 17143 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT & LAND CASE 350 OF 2018**

**LN MBUGUA, J
APRIL 27, 2023**

BETWEEN

DOROTHY SEYANOI MOSCHION APPLICANT

AND

CHARLES KIMERIA MWANGI RESPONDENT

RULING

1. I have considered the oral application made by counsel for plaintiff for the court to grant conservatory orders of injunction. I have also considered the responses made thereof.
2. As rightly submitted by Mr. Litoro and Mr. Shah, the suits herein (2018 series) have been struck out. Thus they no longer exist as a negative order has been delivered. In the circumstances I decline to grant any conservatory orders at this stage.
3. Any restraining orders issued before the delivery of today's ruling have now fallen by the way side and are hereby discharged.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 27TH DAY OF APRIL, 2023
THROUGH MICROSOFT TEAMS.**

LUCY N. MBUGUA

JUDGE

In the presence of:-

Miyare for plaintiff

Litoro for Defendant in 350 of 2018 and for 2nd, 3rd, 4th Defendants in 368 of 2018

Shah for 3rd Defendant in 915 of 2012, and Defendants in 367 and 374 of 2018



Mwango holding brief for Sisule for 1st and 2nd Defendants in 915 of 2012

M/s Jagongo holding brief for S.C Jan Mohamed in 305, 338 and 348 of 2018 and for 1st Defendant in 349 of 2018.

M/s Ndirangu holding brief for Mr. Nderitu (SC) for 7th Defendant in 368 of 2018

Court assistant: Vanilla

