



**Makedi v Ondiege (Environment and Land Appeal E044 of 2022)  
[2023] KEELC 17596 (KLR) (25 May 2023) (Ruling)**

Neutral citation: [2023] KEELC 17596 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY  
ENVIRONMENT AND LAND APPEAL E044 OF 2022  
GMA ONGONDO, J  
MAY 25, 2023**

**BETWEEN**

**JANE NYAMBAWA MAKEDI ..... APPELLANT**

**AND**

**JOSEPH WOLYCE ONDIEGE ..... RESPONDENT**

*(Appeal from the Judgement of Hon. E.M Onzere, PM, in Ndhiwa  
ELC No. 22 of 2019 delivered on the 14th September, 2022)*

**RULING**

1. Ms. Oriche instructed by Veronica Migai and Company Advocates, has applied that:  
  
“Record of appeal not filed. we pray to withdraw this appeal as per our notice dated April 11, 2023. The parties are negotiating with a view to settling with matter. Therefore, no need to have this appeal in court”.
2. This appeal was generated by way of a memorandum of appeal dated September 27, 2022 based on grounds 1 to 7 set out on it’s face. I find it superfluous to reproduce the grounds in this ruling.
3. In view of the above, the appellant’s applications is merited.
4. Thus, this appeal is hereby marked as withdrawn with no orders as to costs as per the notice dated April 14, 2023 herein.
5. It is so ordered.

**DELIVERED, DATED AND SIGNED AT HOMA-BAY THIS 25<sup>TH</sup> DAY OF MAY 2023.**

**G.M.A ONG’ONDO**

**JUDGE**



**PRESENT.**

1. Ms. Oriche holding brief for Migai for appellant.
2. Court Assistant, Mutiva.

