



**Kipkemboi & 4 others v Commissioner of Lands & 7 others (Environment and Land Case Civil Suit 924 of 2012) [2023] KEELC 17791 (KLR) (22 May 2023) (Ruling)**

Neutral citation: [2023] KEELC 17791 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI  
ENVIRONMENT AND LAND CASE CIVIL SUIT 924 OF 2012**

**LN MBUGUA, J  
MAY 22, 2023**

**BETWEEN**

**DAVID KIPKEMBOI ..... 1<sup>ST</sup> PETITIONER  
JOSEPHINE MOINDI ..... 2<sup>ND</sup> PETITIONER  
DAVID KAMUNYA RUNO ..... 3<sup>RD</sup> PETITIONER  
SINGUO HOLDINGS LIMITED ..... 4<sup>TH</sup> PETITIONER  
TIMOTHY ONDIEKI ..... 5<sup>TH</sup> PETITIONER**

**AND**

**COMMISSIONER OF LANDS ..... 1<sup>ST</sup> RESPONDENT  
REGISTRAR OF TITLES ..... 2<sup>ND</sup> RESPONDENT  
DIRECTOR OF SURVEYS ..... 3<sup>RD</sup> RESPONDENT  
ATTORNEY GENERAL ..... 4<sup>TH</sup> RESPONDENT  
MICROTECH ACCESSORIES LIMITED ..... 5<sup>TH</sup> RESPONDENT  
BANGAL TRADING LIMITED ..... 6<sup>TH</sup> RESPONDENT  
MUMTAZZ TRADING AND INVESTMENT CO LTD ..... 7<sup>TH</sup> RESPONDENT  
MOKOWE TRADERS LIMITED ..... 8<sup>TH</sup> RESPONDENT**

**RULING**

1. I have perused the record. The proceedings of 2.2.2022 are self explanatory on matters “the Preliminary Objection”. The court had directed that the Preliminary Objection be heard alongside the main trial.



Reason being that the Preliminary Objection was filed on the date matter was scheduled for hearing on 2.2.2022.

2. In the circumstances, the Preliminary Objection is to be argued orally. The main trial also to proceed even as further directions are given regarding the ruling on the Preliminary Objection.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 22ND DAY OF MAY 2023 THROUGH MICROSOFT TEAMS.**

**LUCY N. MBUGUA**

**JUDGE**

**In the presence of:-**

M/s Munyua for Petitioners

Allan Kamau for 1<sup>st</sup> – 4<sup>th</sup> Respondents

Cohen Amanyua for 5<sup>th</sup>, 6<sup>th</sup> and 8<sup>th</sup> Respondent

Mrs. Ahamo holding brief for Issah for 7<sup>th</sup> Respondent

Court Assistant: Eddel

