



**Owano v Jera (Environment and Land Miscellaneous Application
E005 of 2023) [2023] KEELC 20727 (KLR) (17 October 2023) (Ruling)**

Neutral citation: [2023] KEELC 20727 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY
ENVIRONMENT AND LAND MISCELLANEOUS APPLICATION E005 OF 2023
GMA ONGONDO, J
OCTOBER 17, 2023**

BETWEEN

DANIS OKUMU OWANO APPLICANT

AND

NATHANIEL OYUGI JERA RESPONDENT

RULING

1. By a Notice of Motion application dated August 8, 2023, the applicant, Danis Okumu Owano in person sought, inter alia, he be granted leave to appeal out of time.
2. The respondent, Nathaniel Oyugi Jera has not responded to the application.
3. Ms. Odera learned counsel for the respondent has informed this court that the respondent does not oppose the application.
4. The applicant has stated that he can file an appeal within thirty days from this date.
5. In the circumstances, the application has merit.
6. Wherefore, the application is hereby allowed with costs to abide the outcome of the prospective appeal.
7. The applicant to lodge and serve appeal within thirty days from this date failure of which these orders shall lapse automatically without any further orders of this court being necessary.
8. It is so ordered.

DELIVERED AND DATED AT HOMABAY THIS 17TH DAY OF OCTOBER 2023

G.M.A ONG'ONDO

JUDGE

Present



Applicant in person

Ms Aluoch Odera learned counsel for respondent.

Court Assistant, Luanga Terence and Fiona

