

REPUBLIC OF KENYA

IN THE LAND AND ENVIRONMENT COURT AT ISIOLO

PETITION NO. 007 OF 2021

LERUK MURUSI & 12 OTHERS.....PETITIONERS

-VERSUS-

COUNTY GOVERNMENT OF MARSABIT.....1ST RESPONDENT

THE CHIEF OF THE KENYA

DEFENCE FORCES.....2ND RESPONDENT

THE CABINET SECRETARY

MINISTRY OF DEFENCE.....3RD RESPONDENT

THE HON. ATTORNEY GENERAL.....4TH RESPONDENT

RULING

1. Submissions concerning an application by the 9th to 17th Petitioners to have this court to recommend the empanelment of a three Judge Bench were highlighted on 31/1/2022. Colonel Mugira for the 2nd and 3rd respondents told the court that the pertinent issues were straight forward and, therefore, urged the court to dismiss the application right away.

2. I have perused the submissions filed by the parties. I find that it is necessary to carefully consider all the issues in this matter.

3. As a consequence, I will deliver a ruling on 28th March, 2022.

DELIVERED IN OPEN COURT AT ISIOLO THIS 31ST DAY OF JANUARY, 2022 IN THE PRESENCE OF:

Court Assistant: Denge

Katwa Kigen for the 1st and 8th Petitioners

Colonel Mugira for 2nd and 3rd Respondents

Kimathi for the 4th Respondent

HON. JUSTICE P. M. NJOROGE

ELC JUDGE, ISIOLO