

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT KAJIADO

ELC SUIT NO. 43 OF 2019

(formerly Machakos ELC No. 435/2013)

VERONICA NASHIPAE MONIREI.....1ST PLAINTIFF

JOYCE KARATO MONIREI.....2ND PLAINTIFF

-VERSUS-

REDROCK INVESTMENTS LIMITED.....DEFENDANT

RULING

On 14/12/2021, Mr. Agina for the Plaintiffs withdrew the suit against the Defendant.

What remained was a determination of who pays the costs of the suit. The proviso to **Section 27 (1)** of the **Civil Procedure Act** provides as follows;

“Provided that the costs of an action, cause or other matter or issue shall follow the event unless the Court or Judge shall for good reason otherwise order”.

In this case, the Plaintiffs filed this suit seeking an order of injunction and when it was not allowed, they lost interest.

I find that the Plaintiffs should pay costs to the Defendant because I find no reason at all to deviate from the general law that costs follow the event.

No reasons have been given as to why this Court should deviate from the general law on costs.

Order accordingly.

DATED SIGNED AND DELIVERED VIRTUALLY AT KAJIADO 10TH DAY OF MARCH, 2022.

M.N. GICHERU

JUDGE