



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**  
**AT MACHAKOS**

**CIVIL CASE 131 OF 2009**

1. **AFRICAN WILDLIFE FOUNDATION REGISTERED TRUSTEES**
2. **AMBOSELI TRUST FOR ELEPHANTS**
3. **OL DONYO WUASI LTD**
4. **EAST AFRICAN WILDLIFE SOCIETY**
5. **LUCA SAFARI LTD**
6. **MAASAI WILDERNESS CONSERVATION TRUST**
7. **AFRICANCONSERVATIONCENTER**
8. **MAASAI PRESERVATION TRUST**
9. **EXPLORE MARA LTD.....PLAINTIFFS**

**VERSUS**

**SINHYDRO CORPORATION LIMITED LTD..... DEFENDANT**

**RULING**

1. On 26.10.2009, I set down the application dated 30.4.2009 for Ruling on 16.12.2009. When I retired to consider the issues in contest, I realized that I am closely associated with the 9<sup>th</sup> Plaintiff, a company I acted for as an advocate and remain very close to its Directors. I had not previously noticed that it was a party to the suit because it was only introduced by an amendment to the Plaintiff filed on 2.7.2009. I regret the inadvertence on my part.
2. In the event, and with sincere apologies to parties, I decline to make any orders in this matter and will instead disqualify myself and order that this file be placed before the Resident judge Machakos for appropriate directions and orders.
3. Orders accordingly.

Dated and delivered at **Machakos** this **11<sup>th</sup>** day of **February, 2010**

**Isaac Lenaola**

**Judge**

In the presence of; Mr. Makanda for Plaintiff/Applicant

**Isaac Lenaola**

**Judge**