



**Mwenda v Butt & another (Environment & Land Case
2 of 2022) [2022] KEELC 2579 (KLR) (14 July 2022) (Ruling)**

Neutral citation: [2022] KEELC 2579 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT ISIOLO
ENVIRONMENT & LAND CASE 2 OF 2022**

PM NJOROGE, J

JULY 14, 2022

BETWEEN

LUCY MWENDA PLAINTIFF

AND

FAROOQ ASEF BUTT 1ST DEFENDANT

ISIOLO COUNTY GOVERNMENT 2ND DEFENDANT

RULING

1. This application is dated 20th day of June, 2022 and seeks the following orders:
 1. That this application be certified as very urgent and the same be heard as a matter of priority.
 2. That there be a stay of execution of Isiolo Chief Magistrates Court ELC NO. 31 of 2022 pending hearing and determination of this application.
 3. That there be a stay of execution of Isiolo Chief Magistrates Court ELC NO. 31 of 2020 pending hearing and determination of this suit.
 4. That this Honourable court be pleased to issued orders of temporary injunction restraining the defendants, their family members, agents representatives employees and any other person working at their behest from interfering with the plaintiff's and her representatives, agents user and occupation of land parcel Plot 55 Kiwanjani Zone C which has been superimposed by Isiolo Zone C/plot No. 128 Kiwnajani also known as LR. No Isiolo Township Block 3/323 pending the hearing and determination of this application, the determination of this suit.
 5. That this Honourable court be pleased to issue orders of inhibition inhibiting registration of any dealings with land parcel Plot 55 Kiwnajani Zone C which has been superimposed by Isiolo Zone C/plot No. 128 Kiwanjani also known as LR. No Isiolo Township Block 3/323 pending



hearing and determination of this application, the determination of this suit or further orders of the Honorable Court.

2. The application is supported by the application of Lucy Mwenda, the plaintiff and the grounds on its face.
3. The following orders are hereby issued: -
 - a. The Application will be heard on priority basis.
 - b. The Applicant is directed to properly serve the application upon respondents.
 - c. The application will be heard interpartes on 25.7.2022

DELIVERED IN CHAMBERS AT ISIOLO ON 14TH DAY OF JULY, 2022 IN THE PRESENCE OF:

Court Assistant: Balozi

Parties not in court.

HON. MR. JUSTICE P. M. NJOROGE

JUDGE

