

REPUBLIC OF KENYA

IN THE COURT OF APPEAL OF KENYA

AT NAKURU

JUDICIAL REVIEW 60 OF 2009

WILLIAM LANGAT APPLICANT

VERSUS

MAU NAROK DIVISION LAND

DISPUTE TRIBUNAL RESPONDENT

JOSEPH KORIR SINDAIINTERESTED PARTY

RULING

After obtaining the requisite leave, William Langat, the Ex-parte applicant, seeks under **Order 53 Rule 3** of the **Civil Procedure Rules** an order of certiorari to quash the decision of the Mau Narok Land Disputes Tribunal in respect of the piece of land known as **Title No. Nakuru/Sururu/1561**, which was subsequently adopted by the Chief Magistrate in Land Dispute Case No. 13 of 2007.

As the application seeks to quash an order made on 8th November, 2006, more than six months before it was filed, and not the Chief Magistrate's order adopting it, the same is incompetent for fouling the provisions of **Order 53 Rule 2** of the **Civil Procedure Rules**. In the circumstances the same is hereby struck out.

DATED and delivered this 15th day of October, 2009.

D.K. MARAGA

JUDGE.