



Njiiri (Suing as legal representative and administrator of the Late Wilson Njiiri Gikonyo) v Wangui & 7 others (Environment & Land Case 193 of 2014) [2022] KEELC 14796 (KLR) (15 November 2022) (Ruling)

Neutral citation: [2022] KEELC 14796 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAKURU
ENVIRONMENT & LAND CASE 193 OF 2014
FM NJOROGE, J
NOVEMBER 15, 2022**

BETWEEN

**DAVID GIKONYO NJIIRI PLAINTIFF
SUING AS LEGAL REPRESENTATIVE AND ADMINISTRATOR OF THE LATE
WILSON NJIIRI GIKONYO**

AND

RUTH MARY WANGUI & 7 OTHERS DEFENDANT

RULING

1. This is a ruling in respect of an application by the plaintiff dated September 21, 2022 in which he has sought a number of prayers among them an order that I recuse myself from any further dealing with the matter. I find that I can only deal with the limb of the application seeking my recusal. The plaintiff seeks my recusal allegedly as a result of the manner in which this court handled his two applications dated August 18, 2021 and January 31, 2022 which were dismissed with costs to the defendants. I have considered the plaintiff's application seeking my recusal from continuing to handle this suit. I have already pronounced myself extensively on the plaintiff's conduct in my ruling delivered on July 14, 2022 and also on the procedure for recusal which I need not repeat here and in any event the applicant has lodged the present application. As the applicant has already expressed his crystallized opinion that he may not get justice if the matter proceeds before this court his application must be determined. Notwithstanding the fact that his apprehensions lack basis and are in my view quite incorrect, I find that it is prudent to recuse myself from hearing this matter any further and I hereby do so recuse myself. I further direct that the file be placed before the Hon Justice A Ombwayo, ELC Court 1 Nakuru for further directions.

DATED, SIGNED AND ISSUED AT NAKURU VIA ELECTRONIC MAIL ON THIS 15TH DAY OF NOVEMBER, 2022.



MWANGI NJOROGE

JUDGE, ELC, NAKURU

NKR ELC NO. 193/2014 DF-22.09.22 DR-15.11.22

