



Chesilut v Kipkorir; Lelei (Interested Party); Lelei (Proposed Interested Party) (Environment & Land Case E016 of 2022) [2025] KEELC 463 (KLR) (11 February 2025) (Ruling)

Neutral citation: [2025] KEELC 463 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT KAPSABET
ENVIRONMENT & LAND CASE E016 OF 2022
GMA ONGONDO, J
FEBRUARY 11, 2025**

BETWEEN

WILLIAM CHESILUT PLAINTIFF

AND

EZEKIEL KIPKORIR DEFENDANT

AND

DORCAS LELEI INTERESTED PARTY

AND

MACRINA CHELAGAT LELEI PROPOSED INTERESTED PARTY

RULING

1. By the Notice of motion application dated 1st July 2024, the proposed interested party, Macrina Chelagat Lelei through Kamau Lagat and Company Advocates, is seeking to be joined to this suit as an interested party and costs of the application be in the cause.
2. The application is founded upon seven grounds which include; that the applicant is a necessary party in this matter to protect her interest in seven acres in dispute herein.
3. Mr. Ngarngar and Mr. Kipleting Learned Counsel for the plaintiff and the defendant respectively have no opposition to the application.
4. Therefore, are the orders sought in the application available to the proposed interested party/applicant?
5. It is common ground that the proposed interested party/applicant is a necessary party with interests to protect in this suit.



6. This court is guided by Order 1 Rule 10 (2) of the Civil Procedure Rules 2010 and Sections 3 and 3A of the *Civil Procedure Act* Chapter 21 Laws of Kenya as regards the instant application.
7. In the premises, the application is unchallenged and merited.
8. Thus, the application is hereby allowed accordingly.
9. It is so ordered.

DATED AND DELIVERED AT KAPSABET THIS 11TH DAY OF FEBRUARY 2025.

GEORGE M. A. ONGONDO

JUDGE

PRESENT

Mr Ngarngar, Learned Counsel for the plaintiff

Mr Kipleting, Learned Counsel for the defendant

Mr Kamau Lagat, Learned Counsel for the proposed interested party/applicant

Walter, Court Assistant

