



**Biwott & another v Managing Director, East African Tea Trade Association (Environment & Land Miscellaneous Case E007 of 2025) [2025] KEELC 2992 (KLR) (10 March 2025) (Ruling)**

Neutral citation: [2025] KEELC 2992 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT KAPSABET  
ENVIRONMENT & LAND MISCELLANEOUS CASE E007 OF 2025  
GMA ONGONDO, J  
MARCH 10, 2025**

**BETWEEN**

**DANIEL KIPRONO BIWOTT & ANOTHER & ANOTHER ..... PLAINTIFF**

**AND**

**MANAGING DIRECTOR, EAST AFRICAN TEA TRADE  
ASSOCIATION ..... DEFENDANT**

**RULING**

1. In an application by way of an application dated 3<sup>rd</sup> February 2025 through Korir, Jepleting and Company Advocates, the applicants are seeking the orders infra;
  - a. An order do issue for stay of the implementation of the circular dated 31<sup>st</sup> December 2024 pending hearing and determination of the ELCLC E006 of 2023; Eastern Produce Kenya Ltd-vs-Kimaasas Farmers' Cooperative Society and others.
  - b. A restraining order do issue preventing the respondents from further issues circulars preventing hawking and purchase of green leaf from Sitoi Tea Estate, pending and hearing and determination of ELCLC E006 of 2023.
  - c. Costs of the application.
2. The application is premised upon the grounds on the face of the same and the affidavit of the 1<sup>st</sup> applicant. Briefly, the applicants' lamentation is that by the directions of the respondents contained in the notice has greatly prejudiced the members of the 2<sup>nd</sup> applicant who largely depend on Tea bushes farming and selling of green leaf for livelihoods.
3. By the affidavits service sworn on 18<sup>th</sup> February 2025 and 5<sup>th</sup> March 2025 by Korir Abdullatif learned counsel for the applicants, the respondents were duly made aware of the existence of the application; see also Ogada-vs-Mollin (2009) eKLR.



4. Besides, there was no response to the application.
5. In the foregone, the application is firm, cogent and meritorious
6. Accordingly, the application is hereby allowed in terms of orders 1 (c) and (d) sought in the application as set out in paragraph 1 (a) and (b) hereinabove with costs in the cause.
7. It is so ordered.

**DATED AND DELIVERED AT KAPSABET THIS 10<sup>TH</sup> DAY OF MARCH 2025**

**G M A ONGONDO**

**JUDGE**

Present

Mr A. Korir learned counsel for the applicants

Walter, court assistant

