



**Mboga v Oguya (Environmental and Land Originating Summons  
29 of 2021) [2024] KEELC 523 (KLR) (8 February 2024) (Ruling)**

Neutral citation: [2024] KEELC 523 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY  
ENVIRONMENTAL AND LAND ORIGINATING SUMMONS 29 OF 2021  
GMA ONGONDO, J  
FEBRUARY 8, 2024**

**BETWEEN**

**PAUL OTIENO MBOGA ..... PLAINTIFF**

**AND**

**MIKAL OLUOCH OGUYA ..... DEFENDANT**

**RULING**

1. By a Notice of motion dated 8th February 2023, the firm of G.S Okoth and Company Advocates for the defendant, is seeking the orders infra;
  - a. The Honourable Court be pleased to grant leave for the Advocate on record for the defendant, M/s G.S Okoth and Company Advocates, to cease from further acting for the defendant herein.
  - b. There be no order as to the costs of this application.
2. There is no response to the application.
3. The application has been pending in court for long. The same cries for determination in the spirit of Article 159 (2) (b) of the Constitution of Kenya, 2010 and section 3 of the Environment and Land Court Act, 2015 [2011].
4. In the foregone, I find the application steadfast and merited.
5. Accordingly, the application be and is hereby allowed in terms of orders 1 and 2 as stated in paragraph 1 (a) and (b) hereinabove.
6. It is so ordered.

**DATED AND DELIVERED AT HOMA BAY THIS 8<sup>TH</sup> DAY OF FEBRUARY 2024.**



**G. M. A ONG'ONDO**

**JUDGE**

**PRESENT:-**

1. Luanga, court assistant

