



Onyango v Asiago; Odhiambo (Intended Interested Party) (Environment & Land Case 9 of 2022) [2023] KEELC 16195 (KLR) (6 March 2023) (Ruling)

Neutral citation: [2023] KEELC 16195 (KLR)

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY
ENVIRONMENT & LAND CASE 9 OF 2022
GMA ONGONDO, J
MARCH 6, 2023
IN THE MATTER OF SECTION 38 OF LIMITATIONS OF ACTIONS ACT
CAP 22 LAWS OF KENYA
IN THE MATTER OF ORDER 37 RULE 7(1) OF THE CIVIL
PROCEDURE RULES

BETWEEN

JOHN ONYANGO APPLICANT

AND

ORINDA ASIAGO RESPONDENT

AND

BASIL OTIENO ODHIAMBO INTENDED INTERESTED PARTY

RULING

1. On January 31, 2023, the applicant, Obiero and Associates Advocates filed as a chamber summons application dated January 25, 2023 seeking to be discharged from acting for the plaintiff, among other orders.
2. Mr Otieno Obiero, learned counsel for the applicant has applied for withdrawal of the application with no orders as to costs based on the applicant's plea.
3. Mr Ouma instructed by Mr Odhiambo, learned Counsel for the interested party, has no issue with the application.
4. In the foregone, I find the application suitable for withdrawal.



5. Accordingly, the application dated January 21, 2023 is hereby marked as withdrawn with no orders as to costs.

6. Ordered accordingly.

DELIVERED, DATED AND SIGNED THIS 6TH DAY OF MARCH 2023

G.M.A ONG'ONDO

JUDGE

Present-virtually

a. Mr Otieno Obiro, learned Counsel for the applicant.

b. Mr Ouma instructed by Mr Odhiambo, learned Counsel for the interested Party.

