



**Egondi v Pamba & another (Environment & Land Case
E008 of 2020) [2023] KEELC 17136 (KLR) (3 May 2023) (Ruling)**

Neutral citation: [2023] KEELC 17136 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT BUSIA
ENVIRONMENT & LAND CASE E008 OF 2020**

**BN OLAO, J
MAY 3, 2023**

BETWEEN

THADDEUS EGONDI APPLICANT

AND

PAULO NERIMA PAMBA 1ST RESPONDENT

DANIEL CONGO WANGIRA 2ND RESPONDENT

RULING

1. Thaddeus Egondi (the Applicant herein) moved to this court vide his originating summons dated October 22, 2020 seeking the main orders that the registration of the land parcels No. Bunyala/Bulemia/4670, 4671, 3742, 3743, 3744, 3745 and 3746 be cancelled and the land to revert back to Bunyala/Bulemia/139.
2. By consent letter dated September 13, 2021 and signed by Mr Joseph Paul Makokha for the applicant and by Paul Nerima Pamba and Daniel Congo Wangira (the respondents), several orders were made including that the Land Surveyor would visit the land parcel No. Bunyala/Bulemia/139 and sub-divide it into four (4) portions.
3. It would appear that the respondents have however declined to sign the mutation forms to facilitate the execution of the consent orders.
4. The applicant has therefore moved to this court vide his Chamber Summons dated March 29, 2023 seeking the following orders:
 1. That this honourable court do authorize the Deputy Registrar of this court to execute all the consent forms, mutations and transfer form on behalf of the respondents.
 2. Costs be in the cause.



5. When the application was placed before me on April 18, 2023 ex-parte, I directed that the respondents be served. That was done and on May 3, 2023, an affidavit of service having been filed, the Respondents did not file any response to the application which is therefore not opposed.
6. I have considered the application, un-opposed as it is.
7. It is clear that unless the orders sought are granted, the consent orders dated September 13, 2021 and which have been endorsed as Orders of this court will not be executed. Those Orders will therefore remain without effect.
8. In the circumstances, the Chamber Summons application dated March 29, 2023 is allowed with no orders as to costs.

BOAZ N. OLAO

JUDGE

3RD MAY 2023

Ruling dated, signed and delivered by way of electronic mail on this 3rd day of May 2023 at BUSIA ELC.

BOAZ N. OLAO

JUDGE

3RD MAY 2023

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