



REPUBLIC OF KENYA



**Okach v Owuor (Environment and Land Appeal E006 of 2023)
[2023] KEELC 17951 (KLR) (6 June 2023) (Ruling)**

Neutral citation: [2023] KEELC 17951 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY
ENVIRONMENT AND LAND APPEAL E006 OF 2023
GMA ONGONDO, J
JUNE 6, 2023**

BETWEEN

HENRY OKACH APPELLANT

AND

ERICK OUMA OWUOR RESPONDENT

((Being an appeal from the ruling and order of Hon. N.N Moseti (SRM) in Mbita SPM's court Environment and Land case number 21 of 2018 rendered on 23rd November 2022))

RULING

1. The appellant, Henry Okach who appears in person pursuant to a notice to act in person dated May 31, 2023 filed in court on June 2, 2023 and formerly represented by Geoffrey O. Okoth and Company Advocates, initiated this appeal by way of a memorandum of appeal dated 25th January 2023 lodged on even date. The appeal is premised upon grounds 1 to 4 stated on the face of the said memorandum.
2. By a consent dated May 31, 2023 signed by the appellant in person and the firm of Aluoch Odera and Nyauke Advocates, learned counsel for the respondent, Erick Ouma Owuor and filed herein on 2nd of June 2023, the appellant has sought the withdrawal of this appeal in entirety.
3. Both the appellant and the respondent's counsel who are in court today have confirmed the said consent.
4. In the foregone, the appellant's request for withdrawal of the appeal is meritorious.
5. Wherefore, this appeal is hereby marked as withdrawn with no orders as to costs.

DATED AND DELIVERED AT HOMA BAY THIS 6TH DAY OF JUNE 2023.

G. M. A ONG'ONDO

JUDGE



PRESENT

1. The appellant in person
2. Mr. S. Nyauke, learned counsel for the respondent
3. Terrence, Court assistant

