



**Republic v Homabay District Land Registrar & 2 others; Mbai & another (Exparte)
(Civil Appeal E001 of 2022) [2023] KEELC 18023 (KLR) (7 June 2023) (Ruling)**

Neutral citation: [2023] KEELC 18023 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY
CIVIL APPEAL E001 OF 2022
GMA ONGONDO, J
JUNE 7, 2023**

BETWEEN

REPUBLIC APPLICANT

AND

HOMABAY DISTRICT LAND REGISTRAR 1ST RESPONDENT

HOMABAY DISTRICT LAND SURVEYOR 2ND RESPONDENT

THE HON ATTORNEY GENERAL 3RD RESPONDENT

AND

RAWLINGS ONYANGO MBAI EXPARTE

SAMWEL ODHIAMBO DUDU EXPARTE

RULING

1. The instant ruling is in regard to a Notice of Motion dated March 22, 2023 (the application) for the following Orders:
 - a. The firm of M/s W.O Ochuka and Company Advocates be granted leave to cease acting for the *ex-parte* applicants in this suit.
 - b. The costs of this application be provided for.
2. Ms. Ochieng instructed by the firm of W.O Ochuka and Company Advocates for the *ex- parte* applicant has informed this court that the matter has been settled and that the Notice of motion be allowed with costs.
3. Ms. Amondi instructed by the firm of Nancy Nyarige and Company Advocates for the interested party, had no objection to the application.



4. The 1st, 2nd and 3rd respondents are not involved in the application.
5. In the premises, I find the application merited.
6. Accordingly, the application is allowed with costs to the ex-parte applicant's counsel, W.O Ochuka and Company Advocates.
7. This matter is marked as settled.

It is so ordered.

DELIVERED AND SIGNED AT HOMABAY THIS 7TH DAY JUNE 2023

G.M.A ONG'ONDO

JUDGE

PRESENT

Ms. Ochieng instructed by W.O Ochuka learned counsel for ex-parte applicant.

Ms. Amondi instructed by Ms. Nyarige learned counsel for the interested party.

Court Assistant, Okello.

