



Republic v Disciplinary Tribunal & 2 others; Gitonga (Exparte Applicant) (Environment and Land Judicial Review Case E012 of 2023) [2023] KEELC 20025 (KLR) (19 September 2023) (Ruling)

Neutral citation: [2023] KEELC 20025 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT AND LAND JUDICIAL REVIEW CASE E012 OF 2023
LN MBUGUA, J
SEPTEMBER 19, 2023**

BETWEEN

REPUBLIC APPLICANT

AND

DISCIPLINARY TRIBUNAL 1ST RESPONDENT

ADVOCATES COMPLAINTS COMMISSION 2ND RESPONDENT

WILSON MIRANGI WACUKA 3RD RESPONDENT

AND

PETER MATHENGE GITONGA EXPARTE APPLICANT

RULING

1. I find that the orders of July 27, 2023 were self executing in that failure to serve the orders of July 27, 2023 within 5 days would entail a dismissal of the leave granted herein. There is no evidence of service upon 3rd Respondent while 1st & 2nd Respondents were allegedly served on August 8, 2023 way beyond the cut off date of August 2, 2023.
2. In the circumstances, the leave granted herein is no longer applicable. As such, this suit is hereby dismissed for none compliance with courts directions. Reference is hereby made to the ELC Practice Directions of July 25, 2014 (Gazette notice No 5178) at clause 28 and the case of *Virginia Kathambi Maingi vs Nicholas Mwatika & 2 others* [2021] eKLR.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 19TH DAY OF SEPTEMBER, 2023 THROUGH MICROSOFT TEAMS.

LUCY N. MBUGUA

JUDGE



In the presence of:

Irungu for Exparte Applicant

Omulloh for 1st and 2nd Respondents

