



**REPUBLIC OF KENYA**

**IN THE LAND AND ENVIRONMENT COURT**

**AT ISIOLO**

**PETITION NO. 009 OF 2021**

**ALI GUYO SORCHA.....PETITIONER**

**-VERSUS-**

**NOOR MUHIDIN & 3 OTHERS.....RESPONDENTS**

**RULING**

1. At 9.00 a.m. on 8/2/2022, the advocates representing the parties were not in court.
2. A lady called ADHI ALI SORCHA told the court that she had been sent by her father, the petitioner, whom she said was seriously ill and had been ailing for the last 20 years. She told the court that she had yesterday talked to her advocate, Mr. Leonard Ondari who had assured her that he would be in court today. She proffered that she had even paid him money to facilitate his attendance today.
3. M/S Ardhi Complained that hearing and determination of this suit had taken too long as it had been filed in 2015. She said that she and the petitioner were always in court during all mentions and hearings. She complained that many times the other parties did not come to court. She urged the court to have the matter heard and determined expeditiously.
4. At 9.35 a.m. advocate Jarso walked into court. He told the court that he was holding brief for Mr. Hassan for the 2<sup>nd</sup> Respondent. He told the court that Mr. Hassan required 2 months to be ready. I disallowed this oral prayer because on 14/12/2021, by consent of all counsel present in court, the parties had agreed to be ready by 8/2/2022 (today) and to take apposite directions.
5. Considering all pertinent issues, I issue the following orders:
  - a) *The Petitioner is directed to file and exchange his written submissions within 30 days of today and the respondents are to do so within 30 days after receipt of the Petitioner's submissions.*
  - b) *As this suit is a Petition, the order to comply with Order 11, CPR, is hereby dispensed with and stands vacated.*
  - c) *It is ordered that Notice be Issued to all parties to come to court for directions on 16/5/2022 to confirm filing of submissions.*
  - d) *For avoidance of doubt, directions on 16/5/2022.*

Written and delivered in Open Court at Isiolo this 8<sup>th</sup> day of February, 2022 in the presence of:

Court Assistant: Denge

Jarso h/b Hasan for 2<sup>nd</sup> respondent.

**HON. JUSTICE P. M. NJORGE**

**JUDGE**