



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT AT NAROK**

**ELC CAUSE NO. 265 OF 2017**

**FORMERLY KISII ELC NO. 39 OF 2014**

**SANAMWALA OLE MUTUA NKAIRIPANI.....PETITIONER**

**-VERSUS-**

**THE COUNTY GOVERNMENT OF NAROK & 4 OTHERS.....RESPONDENTS**

**RULING**

The Application before me is the Petitioner's Notice of Motion dated 14<sup>th</sup> June, 2017 in which the petitioner seeks leave of the court to file 4 more documents that were not included in the original list of documents.

The Petitioner has based the said application on the grounds that the fresh documents he wants to file will shed more light on his petition and there production will not cause prejudice to the Respondents and the Interested Party. He further states that there was delay in obtaining the said documents as his confirmation of his grant was not made and that the 4<sup>th</sup> Respondent had refused to issue an official search certificate and it shall serve the interest of justice if the application is allowed.

The application was supported by the Affidavit of the petitioner on which he expounded on the grounds on which the application was based.

When the application came for hearing before me on 19<sup>th</sup> September, 2017 I directed the Petitioner to serve the Respondents and having satisfied myself that the Petitioner was served I directed that the Notice of Motion be heard.

Since the application was not opposed by the Respondents and the interested party I will allow the application as prayed and I accordingly grant leave to the petitioner to file list of supplementary documents within 14 days.

Costs in the cause.

**DATED, SIGNED and DELIVERED** in open court at **NAROK** on this **3<sup>rd</sup>** day of **October, 2018**.

**Mohammed Noor Kullow**

**Judge**

**3/10/18**

In the presence of:

Ms Lodi Meseiyeki for the petitioners

Ms. Adala holding brief for Kilel for the interested party