



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT KISUMU

ELC CASE NO. EO12 OF 2021

KEVIN MUTAHI SHIKANGA.....1ST PLAINTIFF

FLORENCE LILIAN AKINYI AKOTH.....2ND PLAINTIFF

PETER COLLINS OKOTH.....3RD PLAINTIFF

-VERSUS-

KISUMU CITY BOARD.....1ST DEFENDANT

COUNTY GOVERNMENT OF KISUMU.....2ND DEFENDANT

OXFORD INVESTMENTS LIMITED.....3RD DEFENDANT

AND

FAULU MICROFINANCE BANK LIMITED.....INERESTED PARTY

RULING

On the 9/2/2021, the applicant came to this court seeking temporary orders of injunction in terms of prayers 2 and 3 of the Notice of Motion dated 8/2/2021. The court denied to grant the orders and ordered the Applicants to serve and schedule the matter for hearing on 11/2/2021. They served the respondents and are back on 11/02/2021.

Both parties were represented when the court gave the respondents 14 days to file affidavits in reply. The respondents have not complied.

In these circumstances, I do grant the applicants prayers 4 and 5 of the notice of motion dated 8/2/2021 and filed on 9/2/2021. Costs in the cause.

Orders accordingly.

DATED AT KISUMU THIS 13TH DAY OF MAY, 2021

ANTONY OMBWAYO

JUDGE

This Ruling has been delivered to the parties by electronic mail due to measures restricting court operations due to the COVID-19 pandemic and in the light of the directions issued by his Lordship, the Chief Justice on 15th March 2019.

ANTONY OMBWAYO

JUDGE