



**Dol v Apida (Miscellaneous Application E244 of 2024)
[2024] KEHC 7934 (KLR) (1 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 7934 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS APPLICATION E244 OF 2024**

MS SHARIFF, J

JULY 1, 2024

BETWEEN

JOSEPH WERE DOL APPLICANT

AND

PROTAS OTIENO APIDA RESPONDENT

RULING

1. I have considered the Applicant’s notice of motion dated 12th June 2024 and the supporting affidavit of Jared Sala sworn on even date and whereas the Applicant’s Counsel avers that the Applicant had initially lodged the appeal in the Environment and Land Court, no evidence of such filing has been adduced in the application herein wherefore I am unable to appreciate the alleged reason for delay at this instance wherefore I am not persuaded of the urgency of this application and I thus make the following directions:-

1. This application is not certified urgent.
2. The Applicant to serve the same within 4 days from the date hereof.
3. The Respondent to file and serve a response thereto within 9 days from the date hereof.
4. The Applicant to file and serve written submissions within 17 days from the date hereof and the Respondent within 25 days from the date hereof.
5. Mention on 25th July, 2024 to confirm compliance.

DATED, DELIVERED AND SIGNED THIS 1ST DAY OF JULY, 2024.

M. S. SHARIFF

JUDGE

