



**Otieno, Yogo, Ojuro & Co. Advocates v County Government of Kisumu & another (Miscellaneous Civil Application E318 of 2024) [2024] KEHC 12278 (KLR) (14 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12278 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CIVIL APPLICATION E318 OF 2024  
MS SHARIFF, J  
OCTOBER 14, 2024**

**BETWEEN**

**OTIENO, YOGO, OJURO & CO. ADVOCATES ..... ADVOCATE**

**AND**

**THE COUNTY GOVERNMENT OF KISUMU & ANOTHER ..... CLIENT**

**RULING**

1. Whereas the subject matter that gave rise to this bill of costs was land, the Applicant has opted to file advocate/client bill of costs before this court and not the Environment and Land Court.
2. This court has no jurisdiction over this matter as the same falls within the purview of the Environment and Land Court by dint of article 162 (2) (b) of the Constitution of Kenya 2010 and Section 13 of the Environment and Land Court Act. Jurisdiction is everything and this court cannot cloth itself with jurisdiction that it does not have.
3. Premised on the aforesaid reason the bill of costs dated 9.8.2024 is hereby struck out with costs to the Respondent assessed at Kshs.5,000.
4. This file is marked as closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 14<sup>TH</sup> DAY OF OCTOBER, 2024.**

**M. S. SHARIFF**

**JUDGE**

