

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI
MILIMANI LAW COURTS
ENVIRONMENT AND LAND COURT
ELC. NO. 690 OF 2014
(FORMERLY PETITION NO. 243 OF 2014)

KEZA LIMITED.....PETITIONER

VERSUS

REGISTRAR OF TITLES.....1ST RESPONDENT

HON. ATTORNEY GENERAL.....2ND RESPONDENT

CITY COUNCIL OF NAIROBI.....3RD RESPONDENT

AND

SMATT PETROLEUM LIMITED.....INTERESTED PARTY

RULING

I am satisfied that the subject of this suit being the purported revocation of **Grant No. I.R. 61872** in respect of property **L.R No. 209/12085** belonging to the Petitioner by the Registrar of Titles through the publication of **Gazette Notice No. 9230** dated 29th July 2011 was dealt with conclusively by Justice Majanja in **Nairobi Petition No. 178 of 2011 Power Technics Ltd v. Attorney General and Others [2012] eKLR** as consolidated with other cases. In that case, the court declared **Gazette Notice No. 9230** null and void and directed the Registrar of Titles to gazette the court's declaration. The Registrar duly complied by publishing the "Cancellation of Revocation of Land Titles" vide **Gazette Notice No. 9815**.

This effectively lifted the revocation of the Petitioner's **Grant No. I.R. 61872** in respect of property **L.R No. 209/12085** which comprise prayers A, C, D, E and I of the Petition herein. On the other hand, prayers B, F, G, H and J form the subject matter of **ELC No. 352 of 2013 Keza Limited v. Faisal Daud Ali, City Council of Nairobi & Another**, which is the issue of the purported licensing of the suit property to the Interested Party. That issue shall be determined in that suit.

In the circumstances, this suit is marked as settled with costs to the Respondents.

DELIVERED AND DATED AT NAIROBI THIS 6TH DAY OF FEBRUARY 2015.

MARY M. GITUMBI

JUDGE