

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT NAIROBI

ELC MISC. APPLICATION NO. 225 OF 2016

KIMANI RICHU & ASSOCIATES ADVOCATES.....ADVOCATE/RESPONDENT

- VERSUS -

CENTURION HOLDINGS LIMITED.....CLIENT/APPLICANT

DIRECTIONS

1. This matter was slated for ruling on a reference dated 22/11/2019 by M/s Centurion Holdings Limited. The reference was canvassed through written submissions.

2. While preparing the ruling, I have noted that this is the second reference that is coming for determination in this File. On 25/5/2018, I rendered a ruling relating to a similar reference by the advocate. I did set aside the taxing officer's award and directed fresh taxation. The present reference is a challenge against the Taxing Officer's award in the subsequent taxation. Because I had already pronounced myself on some of the issues coming up for determination in this new reference, it will not be in the best interest of justice if I were to determine this subsequent reference. This subsequent reference should be determined by a judge other than myself.

3. For the above reason, I direct that this file be mentioned before the Presiding Judge of the Environment and Land Court on 12/11/2020 for allocation to a different Judge for disposal of the present reference which was canvassed through written submissions. I apologise to the parties and their respective advocates for this development.

DATED, SIGNED AND DELIVERED AT NAIROBI ON THIS 5TH DAY OF NOVEMBER 2020.

B M EBOSO

JUDGE

In the Presence of: -

Mr Kiragu for the Client

Ms Ndungu for the Advocate

Court Clerk - June Nafula