



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT**

**AT NAIROBI**

**ELC JUDICIAL REVIEW APPLICATION NO E011 OF 2020**

REPUBLIC.....APPLICANT

VERSUS

HON. MUHOLI SENIOR RESIDENT MAGISTRATE.....1<sup>ST</sup> RESPONDENT

CHIEF MAGISTRATE’S COURT NAIROBI

MILIMANI COMMERCIAL COURT.....2<sup>ND</sup> RESPONDENT

LUCMI (E.A) LIMITED.....INTERESTED PARTY

EX PARTE.....CHINA ROAD & BRIDGE CORPORATION (K) LIMITED

**DIRECTIONS**

1. I have considered the chamber summons dated 19<sup>th</sup> October 2020 and the verifying affidavit. I have also considered the preliminary objection and the grounds of opposition together with the oral submissions of counsel. I note that the grounds in the preliminary objection should be raised once the substantive motion has been filed.

2. I hereby grant the following directions:-

- (a) *That leave is hereby granted in the circumstances.*
- (b) *That the leave granted do operate as a stay pending the hearing of the substantive motion.*
- (c) *That the Ex parte Applicant do file substantive motion within twenty-one (21) days from the date hereof.*
- (d) *That costs be in the cause*

It is so ordered.

Dated, signed and delivered in Nairobi on this 17<sup>th</sup> day of December 2020.

.....

L. KOMINGOI

JUDGE

In the presence of:-

Mr. A. Masila for Dr. Ndegwa for the Applicant

No appearance for the Respondents

Mrs. Keah for Mr. Osundwa for the Interested Party

Kajuju - Court Assistant