



Republic v Deputy County Commissioner Tigania Central & 2 others; Kobia (Interested Party); Nabea & another (Ex parte Applicants) (Environment and Land Judicial Review Case E012 of 2025) [2025] KEELC 6935 (KLR) (14 October 2025) (Ruling)

Neutral citation: [2025] KEELC 6935 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MERU
ENVIRONMENT AND LAND JUDICIAL REVIEW CASE E012 OF 2025
BM EBOSO, J
OCTOBER 14, 2025**

BETWEEN

REPUBLIC APPLICANT

AND

**DEPUTY COUNTY COMMISSIONER TIGANIA CENTRAL 1ST
RESPONDENT**

**DISTRICT LAND AND SETTLEMENT OFFICER TIGANIA CENTRAL/
EAST 2ND RESPONDENT**

THE HON. ATTORNEY GENERAL, STATE LAW OFFICE ... 3RD RESPONDENT

AND

JAMES KOBIA INTERESTED PARTY

AND

MOSES MUTIGA NABEA EX PARTE APPLICANT

NAAMA MUNYUA NABEA EX PARTE APPLICANT

RULING

1. The ex-parte applicant has made an oral application seeking to withdraw this judicial review case in its entirety. The respondents and the interested party do not oppose the plea to withdraw the suit. They, however, insist that they should be awarded costs because they had already responded to the judicial review motion.
2. The general principle on costs in a civil case is contained in Section 27 of the *Civil Procedure Act*, which provides that costs follow the event. In the present cause, the respondents and the interested



party were served and they filed their responses to the suit. They engaged the services of counsel. In the circumstances, there is no proper basis for departing from the general principle – that costs follow the suit.

3. Consequently, this suit is marked withdrawn and the ex-parte applicant is decreed to bear costs of the suit. It is so ordered

DATED, SIGNED AND DELIVERED AT MERU THIS 14TH DAY OF OCTOBER, 2025

B M EBOSO [MR]

ELC JUDGE

