



**Asiko v Odawa & 2 others (Civil Appeal (Application)
109 of 2017) [2025] KECA 1697 (KLR) (23 October 2025) (Order)**

Neutral citation: [2025] KECA 1697 (KLR)

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT KISUMU
CIVIL APPEAL (APPLICATION) 109 OF 2017
MSA MAKHANDIA, JA
OCTOBER 23, 2025**

BETWEEN

MAURICE OUMA ODONGO ASIKO APPLICANT

AND

MARCELINA ODAWA 1ST RESPONDENT

THE COMMISSIONER OF LANDS 2ND RESPONDENT

THE ATTORNEY GENERAL 3RD RESPONDENT

*(Being an application for Review on grounds of substitution from the Judgment
of the Environment and Land Court at Kisumu, (Kaniaru, J.), dated 8th
September, 2016 in ELC No. 80 of 2016 Formerly HCC No. 333 of 2001)*

ORDER

1. When this application was called out for hearing before me this morning, it was apparent that none of the parties had complied with the directions issued by the Deputy Registrar of this Court via the email dated 3rd October 2025.
2. The applicant had not filed written submissions as directed. The respondents neither filed any papers in opposition to the application nor did they file written submissions. The application as it is, is therefore unprosecuted.
3. That being the case, the only order commendable to me is to dismiss the application for want of prosecution, with no order as to costs.

It is so ordered.

MADE AT KISUMU THIS 23RD DAY OF OCTOBER, 2025.

ASIKE-MAKHANDIA



..... **JUDGE OF APPEAL**

I certify that this is a true copy of the original

Signed

Deputy Registrar

