

**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT AT KITALE**

**ELC NO. 6 OF 2019**

**ISAAC MACHARIA-----1<sup>ST</sup>**

**PLAINTIFF/RESPONDENT**

**JAMES WANYOIKE-----2<sup>ND</sup>**

**PLAINTIFF/RESPONDENT**

**VERSUS**

**CLEOPHAS BARASA WANJALA**

**OPARA-DEFENDANT/APPLICANT**

**RULING**

1. Given the notice of withdrawal of the application dated **30/9/2025**, coming up for ruling today, and the pending application similar to this one at the Court of Appeal as indicated by the parties, the court, in the interest of justice, refrains from pronouncing

itself on the matter now seized of by the Court of Appeal.

2. The application dated **30/9/2025**, save for the reliefs granted, is marked as withdrawn with no order as to costs.

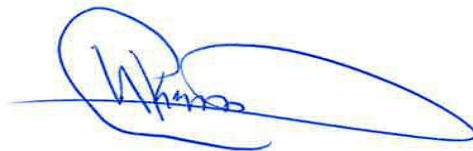
**Ruling dated, signed, and delivered** via **Microsoft Teams/Open Court** at **Kitale** on this **19<sup>th</sup>** day of **November 2025**.

**In the presence of:**

Court Assistant - Dennis

Namude for the applicant present

Teti for the respondent present



**HON. C.K. NZILI  
JUDGE, ELC KITALE.**