

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT OF KENYA

AT KAPSABET

ELCLC CASE NO. E036 OF 2025

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| JEREMIAH PLAINTIFF | BIWOT..... | 1ST |
| PAUL PLAINTIFF | MURSI..... | 2ND |
| FRANCIS PLAINTIFF | KIPCHOGE KURGAT..... | 3RD |
| SIMON PLAINTIFF | KOSGEI..... | 4TH |
| JOSEPH PLAINTIFF | BIWOT..... | 5TH |
| JOSEPH PLAINTIFF | ONDITI..... | 6TH |
| STANLEY PLAINTIFF | BIWOT..... | 7TH |
| DAVID PLAINTIFF | MISOI..... | 8TH |
| MUSTAPHER PLAINTIFF | TOO..... | 9TH |
| PATRICE PLAINTIFF | NGETICH..... | 10TH |

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| ANDREW PLAINTIFF | SANG..... | 11TH |
| JOSEPH PLAINTIFF | ROTICH..... | 12TH |
| STEPHEN PLAINTIFF | NGENY..... | 13TH |
| MERCY PLAINTIFF | JEPCHIRCHIR..... | 14TH |
| JACKSON PLAINTIFF | JACKY..... | 15TH |
| LYDIA PLAINTIFF | KOGO..... | 16TH |
| PIUS PLAINTIFF | ROTICH..... | 17TH |
| EZEKIEL PLAINTIFF | NGENY..... | 18TH |
| KENNETH PLAINTIFF | KEMBOI..... | 19TH |
| PURITY PLAINTIFF | CHEMUREN..... | 20TH |
| WESLEY PLAINTIFF | CHOGE..... | 21ST |
| HILLARY PLAINTIFF | KIPYEGO..... | 22ND |

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| NELSON PLAINTIFF | LULEI..... | 23RD |
| BENJAMIN PLAINTIFF | MELLY..... | 24TH |
| ROBERT PLAINTIFF | KEMBOI..... | 25TH |
| ROBERT PLAINTIFF | KIPKURUI..... | 26TH |
| JOEL PLAINTIFF | BITOK..... | 27TH |
| MALATEI PLAINTIFF | BENJAMIN..... | 28TH |
| JOHN PLAINTIFF | KIKWAI..... | 29TH |
| GRACE PLAINTIFF | TARKWEN..... | 30TH |
| SIMEON PLAINTIFF | LAGAT..... | 31ST |
| PETER PLAINTIFF | KIPLIMO | 32ND |
| NICHOLAS PLAINTIFF | BIWOTT..... | 33RD |
| PETER PLAINTIFF | KOSGEI..... | 34TH |

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| RUTH CHEPKURUI..... | 35TH |
| PLAINTIFF | |
| STANLEY TANUI | 36TH |
| PLAINTIFF | |
| REUBEN BIWOTT..... | 37TH |
| PLAINTIFF | |
| VIBIAN CHEROTICH | 38TH |
| PLAINTIFF | |
| JOHN MAIYO | 39TH |
| PLAINTIFF | |
| NANCY MURSI | 40TH |
| PLAINTIFF | |
| GERSON ROTICH..... | 41ST |
| PLAINTIFF | |
| SIMION KIPKURU..... | 42ND |
| PLAINTIFF | |
| REUBEN TERER..... | 43RD |
| PLAINTIFF | |
| DENIS KIPKOECH | 44TH |
| PLAINTIFF | |
| PETER TANUI | 45TH |
| PLAINTIFF | |
| CLEMENT OCHIENG | 46TH |
| PLAINTIFF | |

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| AMISI ABABA..... | 47TH |
| PLAINTIFF | |
| EMMANUEL KIPKOGEI | 48TH |
| PLAINTIFF | |
| JAMES NGELELEI..... | 49TH |
| PLAINTIFF | |
| JOSEAH TOO | 50TH |
| PLAINTIFF | |
| ROBERT TOO | 51ST |
| PLAINTIFF | |
| PAUL MAIYO..... | 52ND |
| PLAINTIFF | |
| ANTHONY MAIYO | 53RD |
| PLAINTIFF | |
| JOHNES KIPKORIR..... | 54TH |
| PLAINTIFF | |
| COSMAS TANUI | 55TH |
| PLAINTIFF | |
| NOAH TANUI..... | 56TH |
| PLAINTIFF | |
| LEAH NGETICH | 57TH |
| PLAINTIFF | |
| SAMUEL KEMEI | 58TH |
| PLAINTIFF | |

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| JOHN ROTICH |59TH |
| PLAINTIFF | |
| SIMION ROTICH |60TH |
| PLAINTIFF | |
| COLLINCE ODUORI |61ST |
| PLAINTIFF | |
| DANIEL MAIYO |62ND |
| PLAINTIFF | |
| EDWARD ROTICH |63RD |
| PLAINTIFF | |
| CLEOPHUS KIMUTAI |64TH |
| PLAINTIFF | |
| JAMES ROTICH |65TH |
| PLAINTIFF | |
| WELDON KIBET |66TH |
| PLAINTIFF | |
| WESLEY CHOGE |67TH |
| PLAINTIFF | |
| STELA CHEPKURUI |68TH |
| PLAINTIFF | |
| JOSEPH MAIYO |69TH |
| PLAINTIFF | |

-VERSUS-

**KIPCHICHIM GROUP OF COMPANIES
LIMITED.....DEFENDANT**

**JARAMOGI INVESTMENTS LIMITED.....INTENDED
DEFENDANT/APPLICANT**

RULING

1. By Chamber Summons application dated 16th December 2025, the Intended Defendant/Applicant, Jaramogi Investments Limited through Kipkorir Cheruiyot, Chivai and Kigen Advocates LLP, is seeking the following principal orders;

a) THAT the Court be pleased to grant leave to the Applicant to be joined as a Defendant.

b) THAT the Court deems the Notice of appointment filed by the firm of Kipkorir Cheruiyot, Chivai & Kigen Advocates LLP as the Advocates representing the Applicant as properly on record.

2. Briefly, it is asserted that the Applicant/Intended Defendant is a necessary party for the court to conclusively pronounce itself on this suit. That the participation of the Applicant who is the registered owner

of the suit land reference number 6051 (Soba River) measuring approximately 502 acres in area, is valuable and cannot be dispensed with in these proceedings.

3. Mr Moses Rotich and Mr Cheruiyot Melly Learned Counsel for the Plaintiffs and the Defendant respectively, do not oppose the application.
4. It is established law that joinder should not be denied where it aids the Court in arriving at a just determination and promotes access to justice in the matter; see **Trusted Society of Human Rights Alliance-vs-Mumo Matemu & 5 others (2014) eKLR.**
5. In the instant case, the joinder of the applicant in the terms sought would be necessary in reaching a just determination and enhance access to justice.
6. It is noteworthy that the Plaintiffs/Respondents and the Defendant/Respondent are in support of the application. Thus, the Applicant be joined as the 2nd Defendant in these proceedings.
7. Wherefore, the application dated 16th December 2025 is firm and merited, the same is hereby allowed in terms of prayers 1 and 2 therein as stated in paragraph 1 (a) and (b) hereinabove,

8. It is so ordered.

DATED and **DELIVERED** at **KAPSABET** this **17th** day of
DECEMBER 2025.

HON G M A ONGONDO

JUDGE

In the presence of;

1. Ms Faith Aketch Learned Counsel for the Applicant/Intended Defendant
2. Mr Moses Rotich Learned Counsel for the Plaintiffs/Respondents
3. Mr Cheruiyot Melly learned Counsel for the Defendant/Respondent
4. Walter Kipkorir, Court Assistant