



**Ole Barta (Suing as the Legal Representative to the Estate of the Late Oloishuro Ole Barta Kura) v Farah & another; Oguttu, Ochwangi, Ochwal & Company Advocates (Applicant) (Civil Application 48 of 2020) [2026] KECA 30 (KLR) (23 January 2026) (Ruling)**

Neutral citation: [2026] KECA 30 (KLR)

**REPUBLIC OF KENYA  
IN THE COURT OF APPEAL AT ELDORET  
CIVIL APPLICATION 48 OF 2020  
PM GACHOKA, JA  
JANUARY 23, 2026**

**BETWEEN**

**MORETET OLE BARTA (SUING AS THE LEGAL REPRESENTATIVE TO THE ESTATE OF THE LATE OLOISHURO OLE BARTA KURA) ..... APPELLANT**

**AND**

**ALI FARAH ..... 1<sup>ST</sup> RESPONDENT**

**SONKOI OLE MUNKASIA ..... 2<sup>ND</sup> RESPONDENT**

**AND**

**M/S OGUTTU, OCHWANGI, OCHWAL & COMPANY  
ADVOCATES ..... APPLICANT**

*(An application for leave to cease acting for the respondent in this appeal from the judgment and decree of the Environment and Land Court at Narok (MN. Kullow, J.) delivered on 28th February 2019 in ELC CASE NO. 390 OF 2017)*

**RULING**

1. The applicant’s Notice of Motion dated 20<sup>th</sup> May 2024 was placed before me for hearing and determination today. However, on 21<sup>st</sup> January 2026, the applicant’s uploaded a letter dated 21<sup>st</sup> January 2026, in the CTS system seeking to withdraw the Notice of Motion for reasons that the issues raised in the application had been resolved.
2. There being no objection from any of the respondents, I hereby withdraw the Notice of Motion dated 20<sup>th</sup> May 2024 with no orders as to costs since none of the respondents filed their responses. It is so ordered.



**DATED AND DELIVERED AT ELDORET THIS 23<sup>RD</sup> DAY OF JANUARY 2026.**

**M. GACHOKA C.Arb, FCIArb.**

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**JUDGE OF APPEAL**

I certify that this is a True copy of the original

Signed

**DEPUTY REGISTRAR**

