

**REPUBLIC OF KENYA**  
**IN THE ENVIRONMENT AND LAND COURT AT MALINDI**  
**ELC NO. E113 OF 2025**

**CHINA COMMUNICATIONS CONSTRUCTION CO. LTD .....**  
**PLAINTIFF**

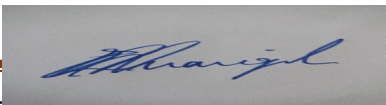
**VERSUS**

**KENYA FOREST SERVICES .....**  
**DEFENDANT**

**RULING**

1. In view of this court’s rationale employed and orders made today in the ruling on the first two opposed applications made MALINDI ELC E105 OF 2025, and in adopting that rationale and for reasons of regimentation of orders and proceedings in both MALINDI ELC E105 OF 2025 and MALINDI ELC E113 OF 2025, this court hereby orders as follows:
2. The notice of motion dated 14/8/2025 in this case, MALINDI ELC E113 OF 2025, is allowed in terms of **prayers no. 3** thereof.
3. The orders made on 24/09/2025 declining to join Kenya Ports Authority as an interested party are hereby reviewed by this court *suo motu* in the interests of justice in the light of extensive disclosures made by both parties while pursuing their respective applications in both suits.
4. The plaint in the present suit shall be amended as appropriately to reflect the addition of Kenya Ports Authority as an interested party.
5. The costs of the application shall be in the cause.

**Dated, signed and delivered at Malindi on this 11<sup>th</sup> February 2026.**



**MWANGI NJOROGE,  
JUDGE, ELC, MALINDI.**