

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
CITED AS ENVIRONMENT AND LAND COURT
JUDICIAL REVIEW APPLICATION NO.ELC E001 OF 2026
IN THE MATTER OF AN APPLICATION FOR LEAVE BY HALIMA SALAT ALI
TO COMMENCE JUDICIAL REVIEW PROCEEDINGS AGAINST THE LAND
REGISTRAR NAIROBI FOR ORDERS OF CERTIORARI AND MANDAMUS
AND
IN THE MATTER OF CONTRAVENTION OF ARTICLES 40, 47 & 50 OF THE
CONSTITUTION OF KENYA
AND
IN THE MATTER OF CONTRAVENTION OF SECTIONS 14, 24(A), 25(1), 26(1) &
79 OF THE LAND REGISTRATION ACT (NO.3 OF 2012)
AND
IN THE MATTER OF CONTRAVENTION OF SECTIONS 4 AND 7 OF THE FAIR
ADMINISTRATIVE ACTIONS ACT, NO.4 OF 2015
AND
IN THE MATTER OF IRREGULAR CANCELLATION/REVOCATION OF LR
209/3271/65 IR 7852 NOW CONVERTED TO NAIROBI/BLOCK 42/103

BETWEEN

REPUBLIC.....APPLICANT
AND
THE LAND REGISTRAR NAIROBI.....1ST
RESPONDENT
THE HON. ATTORNEY GENERAL.....2ND
RESPONDENT
AND
HALIMA SALAT.....EXPARTE APPLICANT

RULING

1. This matter is filed as a JR Environment and Land Court and it is brought under certificate of urgency. I decline to certify it as urgent for the reasons to follow, having sought out the applicant to appear online to urge the application without success.

2. I note that the matter was meant to be filed before the Environment and Land Court but somehow, it ended up being filed in the High Court Judicial Review Registry.
3. Jurisdictionally, the High Court is constitutionally barred by **Article 165(5) (b) of the Constitution** to hear and determine disputes which are exclusively reserved for the Supreme Court and the courts contemplated under **Article 162(2) of the Constitution** and these courts are the **Employment and Labour Relations Court and the Environment and Land Court**.
4. Accordingly, for want of jurisdiction, since jurisdiction is only conferred by the Constitution and statutes, not for the court to arrogate itself of jurisdiction that it is devoid of; and this matter being a purely land matter falling within the jurisdiction of the Environment and Land Court, I decline to entertain it.
5. For avoidable of doubt, the dispute concerns alleged revocation and cancellation of certificate of lease of **LR/209/3271/65 IR 7852** and converted to **NAIROBI BLOCK 42/103** issued to the applicant.
6. The Notice of Motion dated 25/2/2026 is struck out for want of jurisdiction.
I make no orders as to costs.
7. This file is closed.

Dated, Signed and Delivered at Nairobi this 27th Day of February, 2026

**R.E. ABURILI
JUDGE**

ORIGINAL