



**Lagat v Lagat & 3 others (Environment and Land Case  
133 of 2021) [2026] KEELC 1665 (KLR) (17 March 2026) (Ruling)**

Neutral citation: [2026] KEELC 1665 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT KAPSABET  
ENVIRONMENT AND LAND CASE 133 OF 2021  
GMA ONGONDO, J  
MARCH 17, 2026**

**BETWEEN**

**KIPTOGOM ARAP LAGAT ..... PLAINTIFF**

**AND**

**RAEL JEPKORIR LAGAT ..... 1<sup>ST</sup> DEFENDANT**

**LAWRENCE KIRWA ..... 2<sup>ND</sup> DEFENDANT**

**PAUL KOSGEI ..... 3<sup>RD</sup> DEFENDANT**

**JOSHUA KIPCHOGE ..... 4<sup>TH</sup> DEFENDANT**

**RULING**

1. By a Notice of motion application dated 11<sup>th</sup> February 2026, the applicants/defendants through Mukabane & Kagunza Advocates, sought the orders, inter alia; that summons do issue against Kiptogom Arap Lagat and the County Surveyor, Nandi County to appear before this Honourable Court and show cause why they should not be cited and punished for Contempt of Court.
2. Mr. Learned Kagunza counsel for the applicants/defendants has sought to withdraw the application in view of another application dated 6<sup>th</sup> July 2023 on the understanding that status quo to remain in force in the subject matter. That it is the applicants' intention to file a fresh application herein
3. Mr. Sambu learned counsel for the plaintiff/respondent did not oppose the application.
4. In the case of Geoffrey Asanyo & 3 others-vs- Attorney General {2020} KESC 62 (KLR), the Supreme Court of Kenya noted that a party has the liberty to withdraw a matter before court.
5. In the obtaining circumstances, the applicants/defendants have the liberty to withdraw the application.



6. Accordingly, the application dated 11<sup>th</sup> February 2026, be and is hereby marked as withdrawn with no orders as to costs.

7. It is so ordered.

**DATED AND DELIVERED AT KAPSABET THIS 17<sup>TH</sup> DAY OF MARCH 2026.**

**HON. G.M.A. ONG'ONDO**

**JUDGE**

In the presence of;

Mr. Sambu learned counsel for the plaintiff/respondent

Mr. Kagunza learned counsel for the defendants/applicants

Walter, court assistant

