



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT AT KITALE**

**ELC PETITION NO. 5 OF 2018**

**AS CONSOLIDATED WITH ELC PET. NO. 6 OF 2018 & ELC PET. NO. 7 OF 2018**

**JUSTICE AND PEACE CENTER KITALE.....PETITIONER**

**VERSUS**

**NATIONAL LAND COMMISSION.....1<sup>ST</sup> RESPONDENT**

**COUNTY GOVERNMENT OF**

**TRANS-NZOIA.....2<sup>ND</sup> RESPONDENT**

**THE PRINCIPAL SECRETARY,**

**MINISTRY OF AGRICULTURE.....3<sup>RD</sup> RESPONDENT**

**THE ATTORNEY GENERAL.....4<sup>TH</sup> RESPONDENT**

**DIRECTIONS**

**1. Petition No. 5 of 2018 (being this petition), Petition No. 6 of 2018 - Isaiah Wanyonyi & 42 Others -vs- The National Land Commission, County Government of Trans-Nzoia, Principal Secretary, Ministry of Agriculture and The Attorney General and Petition No. 7 of 2018 -Transnational Times Sacco Society Ltd -vs- National Land Commission, County Government of Trans-Nzoia, Principal Secretary, Ministry of Agriculture and The Attorney General were filed at different times in the year 2018.**

**2. Upon examination of the petitions this court found that they all relate to some newspaper advertisement of 17<sup>th</sup> July, 2018 and 23<sup>rd</sup> July, 2018 issued by the National Land Commission who is the 1<sup>st</sup> respondent in all the petitions. The petitioners in the three petitions claim that their interests into land located within **Block 6** and **Block 7 - Kitale Municipality** is threatened by the said press notices. They seek common prayers, mainly that the decision of the 1<sup>st</sup> respondent embodied in those newspaper notices is null and void and should be removed into this court and quashed.**

**3. For the reason that the petitions relate to land located in the same blocks and that they seek similar prayers, I hereby order that the three petitions be consolidated for the purpose of one unified judgment and that all parties do conclude the filing of their documents in their respective matters so that a judgment date may be issued. The lead file will be **Petition No. 5 of 2018 - Justice & Peace Centre Kitale -vs- National Land Commission, County Government of Trans-Nzoia, Principal Secretary, Ministry of Agriculture and The Attorney General**. The original headings in the petitions shall all be retained in the respective filed documents, save that the words “*as consolidated with Petition ... and ...*” shall be added.**

**Dated, signed and delivered at Kitale on this 16<sup>th</sup> day of October, 2019.**

**MWANGI NJOROGE**

**JUDGE**

**16/10/2019**

Coram:

Before - Mwangi Njoroge, Judge

Court Assistant - Picoty

Mr. Nyamu for petitioners

Mr. Kuria for 3<sup>rd</sup> and 4<sup>th</sup> respondents

Mr. Bisonga holding brief for Mukhele for 2<sup>nd</sup> respondent

N/A for 1<sup>st</sup> respondent

**COURT**

Directions read in open court.

**MWANGI NJOROGE**

**JUDGE**

**16/10/2019**