



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT**

**AT MERU**

**ELC NO 92 OF 2008**

**WASO BUILDING & ROAD WORKS CO. LTD.....PLAINTIFF**

**VERSUS**

**FAYO GALGALO.....1<sup>ST</sup> DEFENDANT**

**ABDULAHI DALACHA.....2<sup>ND</sup> DEFENDANT**

**ASLI ROBA ON BEHALF OF ALI ROBA.....3<sup>RD</sup> DEFENDANT**

**ABDULAHI ABDIRAHMAN.....4<sup>TH</sup> DEFENDANT**

**ABDIKADIR GALGALO.....5<sup>TH</sup> DEFENDANT**

**ABDI KUSO.....6<sup>TH</sup> DEFENDANT**

**MAALIM MALOW.....7<sup>TH</sup> DEFENDANT**

**ABDI HUSSEIN.....8<sup>TH</sup> DEFENDANT**

**RULING**

1. An objection has been raised by defence who aver that plaintiff's documents in the list of 22.4.2013 (same item) should be produced by the officials of the county government of Isiolo.
2. Plaintiff's counsel on the other hand avers that the documents are public documents issued to plaintiff and hence PW 1 moved be allowed to produce the same.
3. I have scrutinized all the documents in the list (item 1-10). All these documents save item 7 appear to emanate from the county government of Isiolo (to be precise, the predecessor). Their authenticity can therefore be ascertained from the source. For item 7, the document is from assistant Registrar. It is also a public document. Likewise the authenticity of the said document can be ascertained.
4. It is not lost to this court that defence too is relying on documents mostly emanating from the county government and they are hence at liberty to call the personnel there to shed light on any issue regarding this matter.
5. In the circumstances, I decline to uphold the objection. PW 1 is allowed to produce the document in his list.

**DATED, SIGNED AND DELIVERED IN OPEN COURT AT MERU THIS 7<sup>TH</sup> DAY OF MAY, 2018**

**HON. L. N. MBUGUA**

**ELC JUDGE**