



**Farah & another v Adan & another (Environment & Land Case
E229 of 2022) [2024] KEELC 448 (KLR) (30 January 2024) (Ruling)**

Neutral citation: [2024] KEELC 448 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT & LAND CASE E229 OF 2022
LN MBUGUA, J
JANUARY 30, 2024**

BETWEEN

HUSSEIN AHMED FARAH 1ST PLAINTIFF

HUSSEIN UNSHUR MOHAMMED 2ND PLAINTIFF

AND

YUSUF ABDI ADAN 1ST DEFENDANT

MOHAMMED ABDIKADIR ADAN 2ND DEFENDANT

RULING

1. This matter is scheduled for hearing today. However counsel for 1st defendant prays for adjournment on the basis that there is a pending application dated 27.10.2023 and that there is yet another application dated 19.10.2023 where parties were to canvas the application by written submissions and ruling was due on 24.1.2023.
2. I find that Mr. Larot is making every step to convolute the matter by even distorting the records.
3. For the application dated 19.10.2023 the court gave directions on 19.10.2023 to the effect that further directions were to be given on 30.10.2023. The proceedings of 30.10.2022 do not indicate that any directions were given on the said application. After all, Mr. Larot had walked out in the midst of the proceedings on that day.
4. For the application dated 27.10.2023, it is noted that the same was not filed under a certificate of urgency hence the court did not give any directions. In view of the fact that both applications can now be traced by the court, noting that the court had undertake to hear the case on priority basis, I will adjourn the case to give the applicant an opportunity to prosecute his applications.
5. Nevertheless, the court will give another hearing date as the diary of this court moves very fast.



**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 30TH DAY OF JANUARY, 2024
THROUGH MICROSOFT TEAMS.**

LUCY N. MBUGUA

JUDGE

In the presence of:-

Muganda holding brief for Sagana for the Plaintiff

Larot for 1st Defendant

Court assistant: Eddel

