



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT OF KENYA

AT NAKURU

ELC NO.71 OF 2016

**BEYOND HOUSING CO-OPERATIVE SOCIETY LIMITED.....
.....PLAINTIFF**

VERSUS

**THE COUNTY SECRETARY, NAKURU COUNTY GOVERNMENT AND 3
OTHERS....DEFENDANT**

AND

**COUNTY ASSEMBLY OF NAKURU.....INTERESTED
PARTY/APPLICANT**

RULING

I have gone through the application dated 17th March 2016. It seeks to have the County Assembly of Nakuru enjoined to this suit as interested party. I have my own reservations as to whether the County Assembly is an independent legal entity separate from the County Government of Nakuru which has already been sued as the 4th defendant.

Be as it may, the parties herein are agreeable to have the County Assembly of Nakuru enjoined as prayed.

Despite my reservations, I will allow the consent of the parties as I do not see any prejudice that will be caused by the said joinder.

The application dated 17th March 2016 is therefore allowed as prayed and the County Assembly of Nakuru is hereby enjoined as interested party.

Dated, signed and delivered in open court at Nakuru this 15th day of May 2017.

MUNYAO SILA

JUDGE

ENVIRONMENT & LAND COURT AT NAKURU

In presence of :

Mr Ndubi for the plaintiff

Mr. L. Karanja for applicant/intended interested party

No appearance on part of Mr Ikua for defendants.

MUNYAO SILA

JUDGE

ENVIRONMENT & LAND COURT AT NAKURU