



REPUBLIC OF KENYA
ENVIRONMENT AND LAND COURT AT MIGORI
ELC CASE NO. 215 OF 2017
(FORMERLY KISII ELC CASE NO. 226 OF 2016)

DAVID ODHIAMBO OKENDO.....APPLICANT

VERSUS

SIMON OTIENO OGOLA Suing through

MARGARET ADHIAMBO OGOLA.....RESPONDENT

Holder of power of Attorney

RULING

1. The Notice of Motion dated 2/10/2017 by T.T. Ng'an'ga counsel for applicant is for hearing. The plaintiff/respondent intends to reply to it.
2. The Defendant/Applicant also intends to act in person.
3. I direct as hereunder:-
 - a) The Notice of Motion dated 2/10/2017 is improper on court record and it is hereby expunged from the record.
 - b) No order as to costs on the Notice of Motion so expunged
 - c) In view of the fate of Notice of Motion dated 2/10/2017, hearing of the suit put off to 01/3/2018.
 - d) Parties may file further or additional documents and serve within 30 days from the date hereof.

DELIVERED, SIGNED and DATED in open court at MIGORI this 6th day of December 2017.

G. M. A. ONGONDO

JUDGE

In the presence of;

Mr. Mureri counsel for the Plaintiff

Defendant/Applicant in person

Josephine Lori -Court assistant