



**REPUBLIC OF KENYA**

**ENVIRONMENT AND LAND COURT AT MIGORI**

**MISC CIVIL APPEAL CASE NO. 8 OF 2017**

**PHILIP AMOLO OKENGO.....APPLICANT**

**VERSUS**

**1. BENSON ONYANGO NYAPETE**

**2. DAVID AMUODO NYAPETE**

**3. LUCAS ONGAL NYAPETE.....RESPONDENTS**

**RULING**

1. An application dated 15/2/17 is for transfer of Migori CMCC No. 1186/2016 to this court. It is for hearing today.

2. Mr. Odingo counsel for the applicant have sought to have it withdrawn with no orders as to costs.

3. I have looked at the application, grounds of opposition and prayer to withdraw application. I find reasons thereof.

4. I allow the withdrawal with no orders as to costs.

**G. M. A. ONGONDO**

**JUDGE**

**DELIVERED, SIGNED and DATED** in open court at MIGORI this 5<sup>th</sup> day of **December 2017**.

**G. M. A. ONGONDO**

**JUDGE**

**In the presence of;**

Mr. Odingo Advocate for applicant

Josephine Lori –Court Assistant