



REPUBLIC OF KENYA

IN THE ENVIRONMENT & LAND COURT AT MERU

CIVIL SUIT O. 163 OF 2014

MOHAMUD ILTARAKWA KOCHALE.....1ST PLAINTIFF/APPLICANT

KOCHALE SOMO CHALE.....2ND PLAINTIFF/APPLICANT

ISSA JITEWE GAMBARE.....3RD PLAINTIFF/APPLICANT

DAVID TAMASOT ARAKHOLE.....4TH PLAINTIFF/APPLICANT

WILLIAM LENGOYIAP.....5TH PLAINTIFF/APPLICANT

SEKOTEY SEYE.....6TH PLAINTIFF/APPLICANT

(Suing on behalf of the residents of Laisamis Constituency and Karare Ward of Marsabit County)

VERSUS

LAKE TURKANA WIND POWR LTD.....1ST DEFENDANT/RESPONDENT

MARSABIT COUNTY GOVERNMENT..2ND DEFENDANT/RESPONDENT

THE ATTORNEY GENERAL.....3RD DEFENDANT/RESPONDENT

CHIEF LAND REGISTRAR.....4TH DEFENDANT/RESPONDENT

THE NATIONAL LAND COMMISSION..5TH DEFENDANT/RESPONDENT

AARON ILTELE LESIANTAM.....1ST INTERESTED PARTY

HENRY PARASIAN SAKALPO.....2ND INTERESTED PARTY

STEPHEN NAKENO.....3RD INTERESTED PARTY

JOB LMALASIAN LENGOYA.....4TH INTERESTED PARTY

DAIR LENTIPAN.....5TH INTERESTED PARTY

(As representatives of the residents of Loiyangalani District, Marsabit County)

RULING

CONTAINING DIRECTIONS ON HOW THE NOTICE OF MOTION APPLICATION DATED

14.10.2014 IS TO BE HEARD.

On 24th November, 2014, parties in this matter asked this Court to adopt a consent in the following terms as an order of this Court:

1. ***The Plaintiffs/Applicants to file and serve a further affidavit and written submissions to the Notice of Motion dated 14th October, 2014 within 14 days from today.***
2. ***The Respondents to file and serve their response to the written submissions within 14 days of service.***
3. ***The Plaintiffs/Applicants to file and serve their replies to the written submissions on points of law within 7 days of service by the Respondents.***
4. ***The written submissions shall:***
 - (i) ***Not exceed 10 pages.***
 - (ii) ***Be in font 12.***
 - (iii) ***Be spaced at 1.5.***
5. ***Interim Orders shall be extended until the next date for directions/highlighting.***
6. ***All the pleadings and written submissions shall be sent to Court in Soft copy to the addresses as shown here below:***
 - (a) ***merucourt@judiciary.go.ke***
 - (b) ***waigia@yahoo.com***
 - (c) ***agnes.waigi@judiciary.go.ke***
7. ***Upon request by the Deputy Registrar of this Court, the parties shall deliver to the Court soft copies of the pleadings and written submissions saved in compact disks.***
8. ***The e-mails sent shall be copied to all parties and any compact discs sent to Court shall also be sent to all other parties.***
9. ***The applicants and the 1st Respondent shall have 10 minutes each to highlight their submissions and the other respondents and the Interested Party shall have 5 minutes each. The plaintiffs, if necessary, will have 3 minutes to respond.***
10. ***We have agreed to return for highlighting on 19.1.2015.***

The consent has been adopted as an order of this Court.

It is so ordered.

Delivered in Court at Meru this 24th day of November, 2014 in the presence of:

Cc. Daniel

Sagana/Miss Ashi for Plaintiffs/Applicants

Nyaoga/Mish Aisha Abdallah/Wetangula for 1st Defendant/Respondent

Abdi Hassan/Mutinda for 2nd Defendant/Respondent

Njoroge/Menge for 3rd-5th Defendants/Respondents

Kiprop for Interested Parties.

P. M. NJOROGE

JUDGE