



REPUBLIC OF KENYA



KENYA LAW
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**Piemo v Attorney General & 2 others (Environment and Land Appeal
E001 of 2023) [2024] KEELC 4335 (KLR) (29 May 2024) (Ruling)**

Neutral citation: [2024] KEELC 4335 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY
ENVIRONMENT AND LAND APPEAL E001 OF 2023
GMA ONGONDO, J
MAY 29, 2024**

BETWEEN

JOSHUA OUKO PIEMO PLAINTIFF

AND

THE HON ATTORNEY GENERAL 1ST DEFENDANT

COUNTY GOVERNMENT OF HOMA BAY 2ND DEFENDANT

NATIONAL LAND COMMISSION 3RD DEFENDANT

RULING

1. By a Notice of Motion application dated 19th April 2024, the firm of, Kasamani & Associates Advocates (the applicant herein) has sought leave to cease further acting for the plaintiff, Joshua Ouko Piemo herein. That the costs of the application be provided for.
2. The application is founded upon grounds 1 to 4 stated on the face of it. Also, an 11 -paragraphed affidavit of Vincent Mukoya, a partner of the said Law firm, is in support of the same. The lamentation of the applicant in brief is that there are serious irreconcilable differences between the plaintiff and the applicant which have caused confidence and trust between them to be completely eroded.
3. There is no response to the application by the plaintiff/respondent inspite of the court orders given on 14th May 2024.
4. I have carefully considered the application in entirety.
Therefore, are the orders sought in the application merited?
5. The matter is fixed for inter-partes hearing today. The plaintiff is absent without any reason.
6. The plaintiff and his counsel, the applicant herein are the best advisors of their own affairs; see *Butt - versus- Rent Restriction Tribunal* (1979) eKLR.



7. The applicant has the right to cease further acting for the plaintiff/respondent in this suit based on the grounds advanced in the application.
8. In the circumstances, the application is unopposed and meritorious.
9. Thus, the application is allowed with costs to the applicant.
10. It is so ordered.

DATED AND DELIVERED AT HOMA BAY THIS 29TH DAY OF MAY 2024.

G.M.A ONG'ONDO

JUDGE

Present.

1. Court Assistant, Mutiva.

