



**Republic v Attorney General & another; Nkirote (Exparte Applicant) (Environment and Land Judicial Review Case 8 of 2018) [2024] KEELC 4927 (KLR) (19 June 2024) (Ruling)**

Neutral citation: [2024] KEELC 4927 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT MERU  
ENVIRONMENT AND LAND JUDICIAL REVIEW CASE 8 OF 2018**

**CK NZILI, J  
JUNE 19, 2024**

**BETWEEN**

**REPUBLIC ..... APPLICANT**

**AND**

**THE ATTORNEY GENERAL ..... 1<sup>ST</sup> RESPONDENT**

**THE ADJUDICATION & SETTLEMENT OFFICER IMENTI  
NORTH ..... 2<sup>ND</sup> RESPONDENT**

**AND**

**CELINA NKIROTE ..... EXPARTE APPLICANT**

**RULING**

1. The court is asked by an application dated 16.4.2024 to set aside the orders made on 4.12.2023, on account of a mistake since no orders were made on 22.10.2018.
2. On 30.7.2018, the application seeking leave dated 20.6.2018 was allowed. The notice of motion had to be filed within 21 days from that date. It appears that the *exparte* applicant filed a notice of motion dated 2.10.2018 on 2.10.2018.
3. Consequently, I find that there was an error on the part of the court. I set aside the said orders since there is a notice of motion in place. As to whether the same was filed outside the law, the parties shall be at liberty to address the issue at the main hearing. The notice of motion shall be listed for hearing on a priority basis.

**DATED, SIGNED, AND DELIVERED VIA MICROSOFT TEAMS/OPEN COURT AT MERU**

**ON THIS 19<sup>TH</sup> DAY OF JUNE, 2024**

**HON. C K NZILI**



**JUDGE**

**In presence of**

C.A Kananu

Otieno for the applicant

