



Jinat Investments Limited v County Government of Migori & another (Environment & Land Case 85 of 2017) [2024] KEELC 5768 (KLR) (24 July 2024) (Ruling)

Neutral citation: [2024] KEELC 5768 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MIGORI
ENVIRONMENT & LAND CASE 85 OF 2017
GMA ONGONDO, J
JULY 24, 2024**

BETWEEN

JINAT INVESTMENTS LIMITED PLAINTIFF

AND

THE COUNTY GOVERNMENT OF MIGORI 1ST DEFENDANT

**CHIEF OFFICE LANDS, HOUSING AND PHYSICAL PLANNING 2ND
DEFENDANT**

RULING

1. Mr Mwitwa Kerario learned counsel for the plaintiff and Mr Nyamori Nyasimi learned counsel for the 1st and 2nd defendants have implored this court to adopt the consent order on costs dated 22nd June 2024 between the parties as the ruling and final order of this court in settlement of their dispute in this suit.
2. By the said consent duly signed by counsel for the respective parties, party to party costs have been agreed at Kshs. 4, 000, 000/= (Kenya shillings four million only) payable to the 1st defendant's counsel, Nyamori Nyasimi and Company Advocates within the next 21 days from this date failure of which execution to issue herein.
3. Upon hearing counsel for the respective parties and being guided by Article 159(2)(b), (c) and (e) of *the Constitution* of Kenya 2010 and section 20 of the *Environment and Land Court Act* 2015 (2011), I find the consent cogent and merited.
4. A fortiori, the consent is hereby adopted as the order of this court and this matter is marked as settled accordingly.
5. It is so ordered.

DATED AND DELIVERED VIRTUALLY AT HOMA BAY THIS 24TH DAY OF JULY 2024.



GEORGE M. A. ONGONDO

JUDGE

In the presence of'

Mr Mwita Kerario learned counsel for the plaintiff

Mr Nyamori Nyasimi learned counsel for the 1st and 2nd defendants

Tom Maurice court assistant

