



Opiyo v Osongo; M/S G B Shilwatso & Company Advocates (Applicant) (Environmental and Land Originating Summons E011 of 2023) [2024] KEELC 5595 (KLR) (24 July 2024) (Ruling)

Neutral citation: [2024] KEELC 5595 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY
ENVIROMENTAL AND LAND ORIGINATING SUMMONS E011 OF 2023
GMA ONGONDO, J
JULY 24, 2024**

BETWEEN

PAMELLA AUMA OPIYO APPLICANT

AND

MARY ATIENO OSONGO RESPONDENT

AND

M/S G B SHILWATSO & COMPANY ADVOCATES APPLICANT

RULING

1. The applicant originated an application by way of a Notice of Motion dated 18th June 2024 for leave to cease acting and be discharged from acting for the respondent, Mary Atieno Osongo and that costs of the application be borne by the respondent.
2. The basis of the application is that the applicant has not received forthcoming instruction from the respondent to enable them continue acting for her.
3. By an affidavit of service sworn on 10th July 2024 by Mokaya Ariga Peter a duly licenced court process server, the respondent was duly served with the application. Nonetheless, she not responded to the same.
4. It is therefore, my considered view that the application is unopposed and merited.
5. Accordingly, the application is allowed in terms of leave to cease acting for the applicant and discharged from acting to her/the applicant.
6. Costs of the application be in the cause.
7. The suit is fixed for mention on 19th October 2024.



8. The respondent be served by the applicant's counsel.

9. It is so ordered.

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

GEORGE M. A ONG'ONDO

JUDGE

Present;

1. Ms Shilwatso for the applicant
2. Mr Nyakwamba for the applicant/plaintiff
3. Respondent/defendant-Absent
4. T Luanga court assistant.

