



Mochache v Nyamira & another; Commission on Administrative Justice & 2 others (Interested Parties) (Environment & Land Petition E002 of 2023) [2024] KEELC 7456 (KLR) (13 November 2024) (Ruling)

Neutral citation: [2024] KEELC 7456 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NYAMIRA
ENVIRONMENT & LAND PETITION E002 OF 2023
JM KAMAU, J
NOVEMBER 13, 2024**

BETWEEN

JENNIFER NYABOKE MOCHACHE APPLICANT

AND

LAND REGISTRAR, NYAMIRA 1ST RESPONDENT

LAND SURVEYOR, NYAMIRA 2ND RESPONDENT

AND

COMMISSION ON ADMINISTRATIVE JUSTICE INTERESTED PARTY

GRACE KWAMBOKA MBUGA INTERESTED PARTY

WESLEY OTIERI INTERESTED PARTY

RULING

1. This suit was commenced by a Constitutional Petition dated 9/10/2023 where the Petitioner sought the following orders. She also by an Application dated 16/10/2023 sought for conservatory orders for;
 - a. Restraining the Respondents and the 2nd and 3rd Interested parties from entering upon undertaking, registering or permitting any dealings, carrying out any survey work or making of any entries in respect of the land parcel numbers and the register relating to the land described in the 1st Respondent’s letter to the Applicant dated 8/3/2023 as Lietego Settlement Scheme/404 or 1405.
 - b. That the Respondents to forthwith avail to the Applicant and for this Court’s inspection a copy of the Report of the boundary confirmation exercise conducted on 6/4/2023 relating



to an alleged boundary dispute involving Title Numbers Lietego Settlement Scheme/404 and 405.

2. I am privy to another matter touching on the same subject matters i.e. Lietego Settlement Scheme/404 and 405. A Ruling in the said matter has just been delivered by this Court this morning and it is important for the parties to study the same in order to be informed and ascertain whether the same would serve the purpose of this Application.

RULING DATED, SIGNED AND DELIVERED AT NYAMIRA THIS 13TH DAY OF NOVEMBER, 2024.

MUGO KAMAU

JUDGE

In the Presence of: -

Court Assistant: Brenda

Petitioner's Counsel: Mr. Ataka

Respondents' Counsel: N/A

