



Nyaoro & another v Olweru; Obachi (Interested Party) (Environment & Land Case 27 of 2021) [2023] KEELC 15961 (KLR) (28 February 2023) (Ruling)

Neutral citation: [2023] KEELC 15961 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY
ENVIRONMENT & LAND CASE 27 OF 2021
GMA ONGONDO, J
FEBRUARY 28, 2023**

BETWEEN

KENNEDY ODHIAMBO NYAORO 1ST PLAINTIFF

CAREN ATIENO AGIDA 2ND PLAINTIFF

AND

ELISHA JABUYA OLWERU DEFENDANT

AND

RAYMOND OBACHI INTERESTED PARTY

RULING

1. By an originating summons dated March 15, 2017 and lodged in court on March 17, 2017 the two plaintiff are claiming to be bonifide purchaser and bonafide seller of the suit land reference number Kanyada/Kotieno-Katuma 'A'/2246.
2. The parties were last before court on November 22, 2021. They have not taken any further step herein.
3. Pursuant to Order 17 Rule 2(1) of the [Civil Procedure Rules](#), 2010, a notice to show cause was issued for today, February 28, 2023.
4. The parties and counsel are absent without any reason.
5. Accordingly, this suit is dismissed with no order as to costs under Order 17 rule 2(1) (supra).
6. Orders accordingly.

DELIVERED, DATED AND SIGNED AT HOMABAY THIS 28TH DAY OF FEBRUARY 2023.

G.M.A ONG'ONDO



JUDGE

