



Odembo (Suing as the Legal Representative of Anton Osuma Odamna) v Ajwang (Environment & Land Case E004 of 2023) [2023] KEELC 15791 (KLR) (27 February 2023) (Ruling)

Neutral citation: [2023] KEELC 15791 (KLR)

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY
ENVIRONMENT & LAND CASE E004 OF 2023
GMA ONGONDO, J
FEBRUARY 27, 2023
IN THE MATTER OF LAND ACT (NO 6 OF 2012)
AND
IN THE MATTER OF THE LAND REGISTRATION ACT
AND
IN THE MATTER OF TITLE NUMBER LRA.KASGUNGA/KAMRERI/3783
BETWEEN
JARED OTIENO ODEMBO (SUING AS THE LEGAL REPRESENTATIVE OF
ANTON OSUMA ODAMNA) APPLICANT
AND
JOSEPH T. OLOO AJWANG RESPONDENT

RULING

1. In a notice of motion application dated on February 13, 2023 and filed in court on February 20, 2023 through LK Obwanda and Company Advocates, the applicant is seeking interim orders of injunction against the respondent in respect of the suit land, reference number Kasgunga/Kamreri/3783 pending the hearing and determination of this suit.
2. The respondent has been served with the application. However, he is yet to respond to it.
3. Besides, the applicant's counsel and the respondent have agreed to compromise, the application on the following terms.
 - a) The *status quo* prevailing on the suit land be maintained by both parties pending the hearing and determination of this suit. See *Ogada v Mollin* [2009] KLR 620.



- b) For clarity, the parties herein shall not sell, charge, subdivide, transfer, lease any portion of the suit land and or erect any permanent structure on the suit land pending the hearing and determination of this suit.
4. The application is determined accordingly.
5. It is so ordered.

DELIVERED AND DATED AT HOMABAY THIS 27TH DAY OF FEBRUARY 2023

G.M.A ONG'ONDO

JUDGE

PRESENT:

- 1. L.K Obwanda, learned counsel for plaintiff/applicant**
- 2. Respondent- Present in person**
- 3. Court Assistant, Okello.**

