



**Nakel Investment Ltd v Kenya Railways Corporation (Environment & Land Case E20 of 2020) [2023] KEELC 15740 (KLR) (23 February 2023) (Ruling)**

Neutral citation: [2023] KEELC 15740 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT NAKURU  
ENVIRONMENT & LAND CASE E20 OF 2020  
FM NJOROGE, J  
FEBRUARY 23, 2023**

**BETWEEN**

**NAKEL INVESTMENT LTD ..... PLAINTIFF**

**AND**

**KENYA RAILWAYS CORPORATION ..... DEFENDANT**

**RULING**

1. After hearing the evidence of PW1 – PW3 in ELC No 21 of 2020 – Falcon Service Station Ltd v Kenya Railways Corporation, this court has noted that due to similarity of both facts and cause of action and the sharing of directorship/ownership of the two companies involved in this suit and in ELC E20 of 2020 – Nakel Investments Ltd v Kenya Railways Corporation which is not concluded, the judgments in the two matters should be read at the same time and hence the judgment scheduled to be read today in ELC No 20 of 2020 will not be delivered today, but shall await the conclusion of the hearing of ELC No 21 of 2020 – Falcon Service Station Ltd v Kenya Railways so that they be read together.

**Dated, signed and delivered at Nakuru via electronic mail on this 23<sup>rd</sup> day of February 2023.\*\***

**MWANGI NJOROGE**

**JUDGE, ELC, NAKURU**

