



**Odiero (Suing on behalf of self and on behalf of Scholastica Odiero, Andrew Mbuor, James Bosire, Lillian Atieno Ouko, Joseph Obiero, Patrice Mbuor and Vincent Mokaya) v Ogola (Environment & Land Case 69 of 2021) [2023] KEELC 15796 (KLR) (23 February 2023) (Ruling)**

Neutral citation: [2023] KEELC 15796 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT HOMA BAY  
ENVIRONMENT & LAND CASE 69 OF 2021  
GMA ONGONDO, J  
FEBRUARY 23, 2023**

**BETWEEN**

**SCHOLASTICA ODIERO (SUING ON BEHALF OF SELF AND ON BEHALF OF SCHOLASTICA ODIERO, ANDREW MBUOR, JAMES BOSIRE, LILLIAN ATIENO OUKO, JOSEPH OBIERO, PATRICE MBUOR AND VINCENT MOKAYA) ..... APPLICANT**

**AND**

**BEATRICE AWUOR OGOLA ..... RESPONDENT**

**RULING**

1. The plaintiff, Scholastica Odiero who appears in person filed this suit by way of an originating summons dated November 20, 2019 on November 28, 2019 claiming to have acquired by adverse possession, the suit land, reference Gem/Kajulu/2.
2. The last time the appellant took a step in this matter was on February 24, 2021.
3. A notice to show cause dated January 25, 2023 was issued to the applicant.
4. Therefore, the matter has been called in and outside court. The parties herein are absent without any reason.
5. So, pursuant to order 17 rule 2 of the *Civil Procedure Rules, 2010*, this suit is hereby dismissed with no orders as to costs.
6. Orders accordingly.

**DELIVERED AND DATED AT HOMABAY THIS 23<sup>RD</sup> DAY OF FEBRUARY 2023.**

**G M A ONG'ONDO**



JUDGE

PRESENT

Okello, Court Assistant.

