

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MOMBASA

ELC PETITION NO. 50 OF 2021

AINEA RAGEN (Suing on his own capacity and on behalf of Mwembelegaza Community/Residents PETITIONER

-VERSUS-

ANWARALI AND BROTHERS LIMITED.....1ST RESPONDENT
COUNTY GOVERNMENT OF MOMBASA2ND RESPONDENT
WATER RESOURCES AUTHORITY 3RD RESPONDENT
NATIONAL LAND COMMISSION..... 4TH RESPONDENT
NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY 5TH RESPONDENT
NATIONAL CONSTRUCTION AUTHORITY 6TH RESPONDENT
CHIEF LAND REGISTRAR, MOMBASA 7TH RESPONDENT

ORDER

(BEFORE HON. JUSTICE L. NAIKUNI ON 2ND FEBRUARY, 2022)

THIS MATTER coming up for mention before Hon. Justice L. Naikuni on 2nd February, 2022 AND in the presence of Ainea Ragen (The petitioner in person) and Learned Counsels Mr. Mogaka for the 1st Respondent, Mr. Onduso holding brief for Otieno for 2nd Respondent, M/s. Makori for the 3rd Respondent, M/s. Randa holding brief for Gikandi for the Interested Parties – Cross Petition, M/s. Songole for the 1st Interested party, M/s. Waswa for the 7th Respondent, M/s. Lisanza for the 5th Respondent and in the absence of the 6th Respondent.

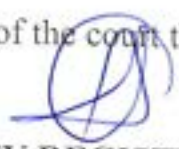
IT IS HEREBY ORDERED BY CONSENT:-

1. THAT the parties who have not served their pleading to do so within the NEXT THREE (3) DAYS i.e. 7th Respondent hereof.
2. THAT all parties are hereby granted 3 days to file any further affidavit responding to the issues raised by the Petitioner on law and raised by the Petitioner in the supplementary if need be.
3. THAT the 4th and 6th Respondents are granted only 3 days to file and serve Replies.

4. THAT the Petition herein and the cross Petition to be disposed by way of written submissions as follows:-
- (a) The Petitioner is granted fourteen (14) days leave to file and serve their written submissions
 - (b) THAT all the Respondents herein and the Interested Parties herein be and are granted Fourteen (14) days leave to file and serve their written submission on the Petition and Cross Petition.
4. THAT the matter to be mentioned on 14.3.2022 for compliance of these directions against the set timelines and according each of the parties herein 10 minutes each to highlight their filed submissions on the main Petition and the Cross Petition and hence taking of a judgment day.
5. THAT all parties to be served accordingly.

Given under my hand and the seal of the court this 2nd day of February, 2022




DEPUTY REGISTRAR
HIGH COURT OF KENYA

ISSUED at MOMBASA this 4 day of February, 2022

Penal Notice:

If anyone served or becomes aware of this order and he/she disobeys same, he/she shall be deemed to be in contempt of court and shall be liable for a punishment of six (6) months in Civil jail.