

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

IN CHAMBERS ON THE 4TH APRIL, 2022
BEFORE THE HONORABLE JUSTICE L.L. NAIKUNI (JUDGE)

ORDER

THIS MATTER coming up for Mention before Hon. Justice L. Naikuni on 4th April, 2022 AND in the presence of Ainea Ragen (The petitioner in person) and Learned Counsels M/s. Gwahalla holding brief for Gikandi for the Interested Parties, Mr. Kiprotich holding brief for Mr. Makori for the 3rd Respondent, Mr. Otieno for 2nd Respondent, M/s. Lisanza for the 5th Respondent, M/s. Korir for the 6th Respondent, M/s. Waswa for the 7th Respondent and Mr. Mogaka for the 1st Respondent.

IT IS HEREBY ORDERED:-

1. THAT all the parties herein are directed and/or authorized to fully adhere with the clear directions made by this court on 14th March, 2022 without fail.
2. THAT the 6th Respondent National Construction Authority (NCA) to serve all parties with their Replying Affidavit and written submissions within the next Fourteen (14) days.
3. THAT the 7th Respondent be and is hereby granted fourteen (14) days to ensure that the Government of Kenya Land Valuation Report is prepared and filed without fail.
4. THAT the matter be mentioned on 9th June, 2022 for compliance and further directions thereof.

5. THAT there be witness summons issued against Mr. S. Mbuthia, the Senior Legal Officer National Land Commission or any other designated Officer to appear in court to explain their role and/or participation in this matter on 9th June, 2022.

Given under my hand and the seal of the court this 4th day of April, 2022



DEPUTY REGISTRAR
ENVIRONMENT AND LAND COURT
MOMBASA

ISSUED at MOMBASA this 4th day of April, 2022

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.