

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
MILIMANI LAW COURTS
JUDICIAL REVIEW DIVISION
MISC. CIVIL APPLICATION NO. 434 OF 2016

IN THE MATTER OF: AN APPLICATION FOR LEAVE FOR JUDICIAL REVIEW
ORDERS OF CERTIORARI AND PROHIBITION

AND

IN THE MATTER OF: ARTICLES 47 AND 67 OF THE CONSTITUTION KENYA, 2010

AND

IN THE MATTER OF: THE FAIR ADMINISTRATIVE ACTION ACT, ACT NO. 4 OF 2015

AND

IN THE MATTER OF: SECTION 14 OF THE NATIONAL LAND COMMISSION ACT,
CHAPTER 5D OF THE LAWS OF KENYA

BETWEEN

GEOFFREY MUHORO.....APPLICANT

VERSUS

NATIONAL LAND COMMISSION..... RESPONDENT

AND

LAKE NAIVASHA RIPARIAN ASSOCIATIONINTERESTED PARTY

IN COURT ON 20TH SEPTEMBER, 2016
BEFORE THE HON. MR. JUSTICE G. V. ODUNGA

ORDER

UPON READING the Application presented to this Court on 20th September 2016 by the counsel for the Applicant under Section 8 of the Law Reform Act, Cap 26 Laws of Kenya and order 53 Rule 1 and 3 of the Civil Procedure Rules AND UPON READING the Statutory Statement and Verifying Affidavit of GEOFFREY MUHORO sworn on 19th September 2016 together with annexures thereto AND UPON HEARING Counsel for Ex-parte Applicant:

IT IS HEREBY ORDERED:

1. THAT leave be and is hereby granted to the Applicant to apply for an Order of Certiorari to bring into this Honourable Court for the purposes of being quashed the Respondent's decision dated 22nd August 2016 revoking the Applicant's title to all that parcel of land known as L.R. No.22957/4.
2. THAT leave be and is hereby granted to the Applicant to apply for an Order of Prohibition to prohibit the Respondent by itself, servants, agents, employees or whosoever from reviewing, revoking or alienating the Applicant's title to all that parcel of land known as L.R. No. 22957/4 or

from interfering with the Applicant's ownership and quiet possession of all that parcel of land known as L.R. No. 22957/4 or having any other dealing whatsoever in relation to all that parcel of land known as L.R. No. 22957/4 or taking any further proceedings or action in relation thereto.

3. **THAT** the Motion be filed and served within 10 days.
4. **THAT** the grant of leave shall operate as a stay of further actions or proceedings in the nature of effectuating or implementing the said decision pending hearing and determination of Substantive motion or further orders of this Court.
5. **THAT** Costs in the cause.
6. **THAT** directions be on 10th October 2016.

GIVEN under my Hand and the Seal of this Honourable Court at Nairobi this 20th day of September, 2016.

ISSUED at Nairobi this 23rd day of Sept. 18th 2016.

23/9/16
[Signature]

[Signature]
DEPUTY REGISTRAR
HIGH COURT OF KENYA, NAIROBI

PENAL NOTICE

TAKE NOTICE that any party served with this Order and disobeys the same shall be guilty of contempt of Court and liable to imprisonment for a term not exceeding (6) months or both fine and imprisonment.

Received by
Sitas Waggala
14th October 2016 at 12:45 pm



**LAKE NAIVASHA
RIPARIAN ASSOCIATION**