

**REPUBLIC OF KENYA**  
**IN THE ENVIRONMENT AND LAND COURT AT ELDORET**  
**PETITION NO. 15 OF 2013**

DAVID KIPTUM YATOR  
LUKA TOROITICH KIRATON  
JOSEPH CHEPTARUS  
*(Suing for and on behalf of the Sengwer Community in Embobut Forest)*

.....PETITIONERS

VERSUS

THE HONOURABLE ATTORNEY GENERAL.....1<sup>ST</sup> RESPONDENT  
KENYA FOREST SERVICE .....2<sup>ND</sup> RESPONDENT  
ZONAL FOREST MANAGER, MARAKWET.....3<sup>RD</sup> RESPONDENT  
THE DISTRICT COMMISSIONER, MARAKWET EAST.....4<sup>TH</sup> RESPONDENT  
NATIONAL LAND COMMISSION .....5<sup>TH</sup> RESPONDENT

AND

KATIBA INSTITUTE .....INTERESTED PARTY

**ORDER**

UPON this matter coming up on 8<sup>th</sup> December, 2016 under Certificate of Urgency for hearing of the Petitioners' Notice of Motion Application dated 6<sup>th</sup> December, 2016 and upon hearing Counsels for the Petitioners and the 1<sup>st</sup> and 4<sup>th</sup> Respondents ;

**IT IS HEREBY ORDERED;**

1. The 1<sup>st</sup> and 4<sup>th</sup> respondents to file and serve a reply before close of business today.
2. The 2<sup>nd</sup>, 3<sup>rd</sup> and 5<sup>th</sup> respondents to be served before close of business today.
3. Hearing on 9/12/2016 at 11.30am, meanwhile the status quo to be maintained as of today.
4. No person in occupation of the forest to be evicted, however no new settlement to be allowed in the forest.

GIVEN UNDER MY HAND AND SEAL OF THE HONOURABLE COURT ON 8<sup>TH</sup> DAY OF DECEMBER, 2016.

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**HONOURABLE A. OMBWAYO**  
**JUDGE OF THE LAND AND ENVIRONMENT COURT AT ELDORET**

ISSUED UNDER MY HAND AND SEAL OF THE HONOURABLE COURT ON...8<sup>TH</sup>...DAY OF...DECEMBER.....2016.

  
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**DEPUTY REGISTRAR**  
**HIGH COURT OF KENYA AT ELDORET**

**PENAL NOTICE;**

This is a valid Court Order and any person who disobeys it shall be guilty of contempt of court hence liable for imprisonment up to a period of six months.