

Locus standi – purpose of locus standi – applicants seeking implementation of the recommendations of a Commission of Inquiry in relation to ancestral land – land allegedly obtained during the Mau Mau War (Colonial Emergency period) without the consent of the clan – whether applicants having the required standing to seek judicial review orders
Judicial Review - alternative remedy – applicants seeking judicial review remedies against juristic persons - appropriateness of seeking judicial review remedies where the institution of an action or a constitutional application is prescribed by procedure – whether remedy lying in private law or public law

Commissions of Inquiry - Commission of Inquiry into the Illegal and Irregular Allocation of Public Land - predication of the applicants' claim on the Commission's Report without producing any other evidence – power of a commission of inquiry – report and recommendations of the commission of inquiry – recommendations not constituting any statutory duty to be performed by the respondents

Judicial Review – alternative remedy – alternative remedy available to the applicants under the Constitution and individual land registration statutes – effect of failure by applicant to seek other statutory remedies - criteria in determining convenience, benefit and effectiveness of remedy
Limitation of Actions - undue delay – judicial review action brought to court after lapse of 40 years – effect of undue delay in bringing action – application of the Limitations of Actions Act to judicial review matters and constitutional applications

Public Interest - doctrine of public trust and the public interest - application of the doctrine public interest in relation to illegal alienation of public land - presidential powers concerning land – alienation of public land for public purpose under the Constitution - conflict between public and private interest in land.