



**Nkinda (Suing on behalf of the Estate of Kenneth Mutuma Nkinda)
v Officer Commanding Meru Police Station & 2 others (Petition
13 of 2018) [2023] KEHC 26240 (KLR) (30 November 2023) (Ruling)**

Neutral citation: [2023] KEHC 26240 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
PETITION 13 OF 2018
TW CHERERE, J
NOVEMBER 30, 2023**

BETWEEN

**JOYCE KAMBURA NKINDA PETITIONER
SUING ON BEHALF OF THE ESTATE OF KENNETH MUTUMA NKINDA**

AND

**THE OFFICER COMMANDING MERU POLICE STATION .. 1ST RESPONDENT
THE PRINCIPAL SECRETARY, MINISTRY OF INTERIOR &
COORDINATION OF NATIONAL GOVERNMENT 2ND RESPONDENT
THE ATTORNEY GENERAL 3RD RESPONDENT**

RULING

1. By judgment dated October 29, 2018, Majanja J entered judgment in favour of the petitioner and at paragraph 8 (c) of the final orders directed that costs of the Petition assessed at KES. 100,000/- be paid by the 4th petitioner.
2. Counsel for the parties are in agreement that the order directed at 4th Respondent was made inadvertently for the reason that there was no 4th respondent in the matter. They are also in agreement that the order ought to have been directed at the 3rd Respondent:
3. A review may be granted whenever the court considers that it is necessary to correct an apparent error or omission on the part of the court. The error or omission must be self-evident and should require no elaborate argument to be established (See *National Bank of Kenya Limited v Ndungu Njau* [1997] eKLR)



4. The error in the judgment dated October 29, 2018 is apparent and paragraph 8 (c) of the final orders is reviewed to the extent that the costs of the Petition assessed at KES. 100,000/- shall be paid not by the 4th respondent but by the 3rd respondent.

DATED AT MERU THIS 30TH DAY OF NOVEMBER 2023

T. W. CHERERE

JUDGE

Appearances

Court Assistants - Kinoti/Munene

For Petitioner - Ms. Ligala for T.O.K'Opere & Co. Advocates

For Respondents - Ms. Mutindi

