



REPUBLIC OF KENYA



Obara v Harambee Co - operative Savings & Credit Society Limited & 2 others (Environment and Land Case Civil Suit 1588 of 2014) [2023] KEELC 17600 (KLR) (29 May 2023) (Ruling)

Neutral citation: [2023] KEELC 17600 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT AND LAND CASE CIVIL SUIT 1588 OF 2014**

**LN MBUGUA, J
MAY 29, 2023**

BETWEEN

MERESIA AKEYO OBARA PLAINTIFF

AND

**HARAMBEE CO - OPERATIVE SAVINGS & CREDIT SOCIETY
LIMITED 1ST DEFENDANT**

MILD STEEL ENGINEERING WORKS LTD 2ND DEFENDANT

MELITUS OLUOCH 3RD DEFENDANT

RULING

1. This ruling relates to the objection raised by Mr Chege counsel for 1st defendant that P-Exhibit 11 is not an original of the copy found in the file. In response, Mr. Ongegu counsel for the plaintiff stated that the purported original document is what was given to the recipient.
2. I find that the authenticity of the document has not been challenged. The veracity and legitimacy of the said document can be put into question during cross examination; see [Ntarangwi Miikiara V. Jackson Munyua Mutuera](#) [2018] eKLR. After all, the witness has no other original save what she is availing to the court. Further, Mr. Chege has not availed any document challenging exhibit 11. In that regard, the objection is not upheld. The document shall be admitted in evidence as an exhibit.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 29TH DAY OF MAY, 2023 THROUGH MICROSOFT TEAMS.

LUCY N. MBUGUA

JUDGE

In the presence of:-



Mr. Mwendo for 2nd – 3rd Defendants

Chege for 1st Defendant

Ongegu for Plaintiff

Court assistant: Eddel

