



**Njuki v Gikonyo (Environment and Land Appeal E011 of 2022)  
[2023] KEELC 22551 (KLR) (25 October 2023) (Ruling)**

Neutral citation: [2023] KEELC 22551 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT EMBU  
ENVIRONMENT AND LAND APPEAL E011 OF 2022  
A KANIARU, J  
OCTOBER 25, 2023**

**BETWEEN**

**CAROLINE MUTHONI NJUKI ..... APPELLANT**

**AND**

**SAMUEL GICIMU GIKONYO ..... RESPONDENT**

*(Being an appeal against the Ruling and order of the Principal Magistrate's Court at Siakago delivered on 30th June, 2022 by Hon. E.N. Wasike, PM, in MC ELC No. 89 of 2021)*

**RULING**

1. This appeal arose from the ruling of the lower court in Siakago MC ELC No. 89 of 2021 *Samuel Gicimu Gikonyo v Caroline Muthoni Njuki* by E.N. Wasike, Principal Magistrate. The appellant – Caroline Muthoni Njuki – was the defendant while the respondent – Samuel Gicimu Gikonyo – was the plaintiff. In the lower court the Respondent had sued the appellant alleging trespass into his parcel of land No. Nthawa/gitiburi/1120 and committing acts of waste on a portion of the remitted back to the trial court to hear the suit on merit. Costs of appeal to the Respondent.

**RULING DATED, SIGNED AND DELIVERED IN OPEN COURT AT EMBU THIS 25<sup>TH</sup> DAY OF OCTOBER, 2023.**

**A.K. KANIARU**

**JUDGE**

**25.10.2023**

