



REPUBLIC OF KENYA



Muiruri v Mwaniki (As the Representative of Mwaniki Gikunga - Deceased) (Environment and Land Appeal 43 of 2020) [2023] KEELC 20721 (KLR) (16 October 2023) (Ruling)

Neutral citation: [2023] KEELC 20721 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT THIKA
ENVIRONMENT AND LAND APPEAL 43 OF 2020**

BM EBOSO, J

OCTOBER 16, 2023

BETWEEN

JANE NYAMBURA MUIRURI APPELLANT

AND

STANLEY KINYANJUI MWANIKI (AS THE REPRESENTATIVE OF MWANIKI GIKUNGA - DECEASED) RESPONDENT

RULING

1. The application dated September 18, 2023 seeks entry of judgment in terms of the taxed costs. I have looked at the ruling of the taxing officer and the certificate of taxation. It is clear that the taxing officer taxed a party and party bill of costs in this appeal. The requirement for entry of judgment post-taxation does not arise in a case of party and party costs. There is already a judgment in this suit. Having obtained a certificate of taxation, the respondent in the appeal is at liberty to execute the decree. He does not require another judgment.
2. For the above reasons, the court finds that the application dated September 18, 2023 is unnecessary. The said application is struck out for being misconceived.

DATED, SIGNED AND DELIVERED VIRTUALLY AT THIKA ON THIS 16TH DAY OF OCTOBER 2023

B M EBOSO

JUDGE

In the Presence of: -

Appellant - Jane Nyambura present in person

Respondent – Mr Mumo

Court Assistant: Osodo/Hinga

