



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Waititu v Kinuthia (Environment and Land Appeal 013 of 2021)  
[2022] KEELC 3074 (KLR) (30 May 2022) (Ruling)**

Neutral citation: [2022] KEELC 3074 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT ISIOLO  
ENVIRONMENT AND LAND APPEAL 013 OF 2021**

**PM NJOROGE, J**

**MAY 30, 2022**

**BETWEEN**

**NIXON KAMAITHA WAITITU ..... APPELLANT**

**AND**

**LEORNARD KIARIE KINUTHIA ..... RESPONDENT**

**RULING**

1. On 14/3/2022, this court issued the following orders:
  - a. “Prayer for stay of execution is granted pending hearing and determination of the appeal provided that the Applicant will deposit with Court within 30 days of today as deposit the sum of Kenya Shillings Five Hundred Thousand (Kshs 500,000/=) failing which the stay granted herein shall automatically lapse.
  - b. Costs shall be in the cause.
  - c. Directions on 30/5/2022.
2. On 30/5/2022 the parties did not come to court.
3. The court file indicates that a sum of Kshs. 500,000/= was paid as security by the Plaintiff on 4<sup>th</sup> May, 2022.
4. The following orders are issued:
  - a. Notices be issued to the parties for them to come to court for directions on 19<sup>th</sup> September, 2022.
  - b. Further non-attendance will not be entertained by the court.



**WRITTEN AND DELIVERED IN COURT AT ISIOLO ON 30<sup>TH</sup> MAY, 2022 IN THE PRESENCE  
OF:**

Court Assistant – Denge

Parties Absent

**HON. JUSTICE P. M. NJOROGE**

**JUDGE**

