



**Krop & 3 others v County Commander West Pokot County &
34 others (Environment & Land Case 118 of 2013 & 93 of 2018
(Consolidated)) [2025] KEELC 1164 (KLR) (12 March 2025) (Ruling)**

Neutral citation: [2025] KEELC 1164 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT KITALE
ENVIRONMENT & LAND CASE 118 OF 2013 & 93 OF 2018 (CONSOLIDATED)
CK NZILI, J
MARCH 12, 2025**

BETWEEN

VINCENT NARISA KROP 1ST APPLICANT
COX PATRICK NASIRA 2ND APPLICANT
CHEMUTUKEN PALEE LOUKOTUM 3RD APPLICANT
JANE NARISA CHEPOTUM EDHIO 4TH APPLICANT

AND

COUNTY COMMANDER WEST POKOT COUNTY 1ST RESPONDENT
MARTIN SEMERO 2ND RESPONDENT
KAMZEE LIMAKOU 3RD RESPONDENT
SAMSON KAPCHONGE 4TH RESPONDENT
SAMUEL ALUKURENG 5TH RESPONDENT
WILSON ALUKURENG 6TH RESPONDENT
ALIAS ALUKURENG 7TH RESPONDENT
ANDREW POGHISHO 8TH RESPONDENT
REUBEN SHARTI 9TH RESPONDENT
JACKSON KANAWAI SHARTI 10TH RESPONDENT
PHILIP SHARTI 11TH RESPONDENT
STEPHEN KAKUKO CHELOPEI 12TH RESPONDENT
STEPHEN KAKUKO CHELOPEI 13TH RESPONDENT



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| CHRISTOPHER SHARTI | 14 TH RESPONDENT |
| JEREMIAH SHARTI | 15 TH RESPONDENT |
| DANIEL TIMOTHY KENYENYA SHARTI | 16 TH RESPONDENT |
| RICHARD SOPRIN | 17 TH RESPONDENT |
| KARITOR PSIREN LOSIANGOLE | 18 TH RESPONDENT |
| RICHARD LOSIANGOLE | 19 TH RESPONDENT |
| MICHAEL LOPEITODO | 20 TH RESPONDENT |
| SOLOMON TIRIR SIRI | 21 ST RESPONDENT |
| JOHN LIMANGOLE LOPEITODO | 22 ND RESPONDENT |
| CHEPTANGAT LOKERIS | 23 RD RESPONDENT |
| TERESA PETER LOKICHU | 24 TH RESPONDENT |
| ELIZABETH LIMUNAN | 25 TH RESPONDENT |
| DAKTA WAKANU | 26 TH RESPONDENT |
| GEOFFREY YEKO LOPOTIO | 27 TH RESPONDENT |
| POWON LONYANG | 28 TH RESPONDENT |
| DANIEL MERIKENEI | 29 TH RESPONDENT |
| JACOB LIMAN | 30 TH RESPONDENT |
| JACKSON LIMANI | 31 ST RESPONDENT |
| ISAAC KOTIT | 32 ND RESPONDENT |
| JOAKIM ALEMUSIA | 33 RD RESPONDENT |
| JOAKIM ALEMUSIA | 34 TH RESPONDENT |
| CHEPARKONG DOMONYANG | 35 TH RESPONDENT |

RULING

1. On 26/2/2025, the court directed the 1st respondent, who was represented by Senior Superintendent of Police Joseph Yatan to collect and serve summons upon the 13 respondents to appear before this court today. The said Senior Superintendent of Police Yatan Joseph appeared today with no evidence that he effected service upon the named persons. Instead of providing an affidavit of service or returning the copies served or unserved, he blames his current Police Commander for non-action. One of the summons issued was against the County Police Commander, West Pokot County. At the very least, Senior Superintendent of Police Joseph Yatan, could have been expected to show evidence that he served the same upon the 1st respondent. Court orders are not made in vain.
2. Mr. Mwaniki Advocate for the decree holders submits that the casual manner in which the 1st respondent has been acting since issuance of the decree and an order for eviction five and two years ago



is an affront to the administration of justice. The court is asked to flex its muscles and find the officer guilty of contempt of court.

3. The court has observed the demeanor of the Senior Superintendent of Police Joseph Yatan. He seems not to be taking court orders seriously. It is either he served or he did not serve the court summons. The burden was placed on him to effect the service and bring the citees before the court. The statutory duty is bestowed on him to obey lawful court orders. He cannot therefore turn around and blame his immediate supervisor for inaction.
4. The upshot is I find him guilty of contempt of court. He is fined a suspended fine of Kshs.50,000/= in default to serve 14 days civil jail to take effect. The witness summons to issue to the County Police Commander, West Pokot County, Issa Mamur, be served by the Regional Police Commander, Nakuru, to attend court in person on 18/3/2025.
5. Similarly, warrants of arrest shall issue against all the named citees, to be effected by Senior Superintendent of Police Joseph Yatan, for it is apparent that they were aware of today's date, otherwise they could not have sent a lawyer to represent them.

RULING DATED, SIGNED AND DELIVERED VIA MICROSOFT TEAMS/OPEN COURT AT KITALE ON THIS 12TH DAY OF MARCH 2025.

In the presence of:

Court Assistant - Laban

Mr. Mwaniki for the Decree Holders present

1st Respondent present

HON. C.K. NZILI

JUDGE, ELC KITALE.

