



Wanjohi & another v City Council of Nairobi & another (Environment and Land Appeal 089 of 2021) [2023] KEELC 20669 (KLR) (5 October 2023) (Judgment)

Neutral citation: [2023] KEELC 20669 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT AND LAND APPEAL 089 OF 2021**

**J OMANGE, J
OCTOBER 5, 2023**

BETWEEN

JOSEPH MWANGI WANJOHI 1ST APPELLANT

NANACY NYAMBURA MWANGI 2ND APPELLANT

AND

CITY COUNCIL OF NAIROBI 1ST RESPONDENT

PAUL JOHN KIMANI 2ND RESPONDENT

(Being an appeal from the Judgment and decree of the Chief Magistrate's Court at Nairobi Hon. L. L. Gicheha (Mrs.) on 30th July 2021 in Milimani Commercial Court Civil Case No MCCC 9266 of 2001)

JUDGMENT

1. The court had retired to write the Judgement in this case when I noticed that in the submissions of the Respondent he had referred to a Cross Appeal he had filed in a different file. Directions had not been given in respect of this appeal. It is my view that in the interest of expeditious determination of the matter, the appeal and the cross appeal should be heard together. Consequently, the court makes the following orders;

1. The Cross Appellant is to file the Record of Appeal within 60 days.
2. The lower court is to avail the proceedings in Milimani CMCC 9266 to the Cross Appellant/ Respondent. In the event any part of the proceedings is missing as stated by the Cross Appellant, the Court Administrator is to write a report to this court on the same.

DATED, SIGNED AND DELIVERED VIA MICROSOFT TEAMS THIS 5TH DAY OF OCTOBER 2023.



JUDY OMANGE

JUDGE

In the presence of: -

Mr. Nchoe for the Appellant

Respondent in person

Steve - Court Assistant

