



REPUBLIC OF KENYA



**KENYA LAW**  
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**Kanyagia v Maningo (Civil Case E025 of 2023)  
[2025] KEHC 3344 (KLR) (Family) (20 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 3344 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
FAMILY  
CIVIL CASE E025 OF 2023  
HK CHEMITEI, J  
MARCH 20, 2025**

**BETWEEN**

**PATRICK JP KANYAGIA ..... APPLICANT**

**AND**

**VIOLET LIAANYI MANINGO ..... RESPONDENT**

**RULING**

1. This ruling relates to the applications dated 31<sup>st</sup> October, 2023 filed by the Applicant seeking for orders that:-
  - a. Spent;
  - b. This Honourable Court be pleased to grant an order that parties reconstruct the file HCFOS/ E025 OF 2023: Patrick J. P. Kanyagia Vs. Violet Liananyi Maningo.
  - c. This Honourable Court be pleased to give directions on the Applicant's Originating Summons dated 9<sup>th</sup> March, 2023.
  - d. Costs be in the cause.
2. The application is supported by affidavit sworn by Patrick J. P Kanyagia on 31<sup>st</sup> October, 2023. He avers inter alia that he is over 70 years old. The court file has been missing since April, 2023, despite several efforts by his counsel on record to trace it thus causing great prejudice to him.
3. He seeks for directions in the matter pursuant to the ruling of Hon. E. O. Obaga J in ELC 177 OF 2018; an order to be issued for sale of L. R. No. Dagoretti/Riruta/2205 jointly owned by the Applicant and the Respondent; and order be issued that the proceeds from the sale of L. R. No. Dagoretti Riruta/2205 owned jointly by the Applicant and the Respondent herein be shared equally between the



parties save for costs of improvement of the premises incurred by the Applicant and other incidental costs as prayed for in the application dated 9<sup>th</sup> March, 2023 – which the Applicant seeks directions for.

4. The application is unopposed and there are no written submissions filed by both parties.
5. I have perused the application and for the reasons stated in the affidavit the same is allowed as hereunder:-
  - (a) A skeleton file be constructed forthwith.
  - (b) Once (a) above is done the application dated 9<sup>th</sup> March 2023 be fixed for directions.
  - (c) Costs in the cause.

**DATED SIGNED AND DELIVERED VIA VIDEO LINK AT NAIROBI THIS 20<sup>TH</sup> DAY OF MARCH, 2025.**

**H K CHEMITEI**

**JUDGE**

