



REPUBLIC OF KENYA



**Muithya v Njeri (Civil Appeal E001 of 2025) [2025] KEHC 2647 (KLR) (3 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 2647 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KITUI  
CIVIL APPEAL E001 OF 2025**

**LW GITARI, J  
MARCH 3, 2025**

**BETWEEN**

**JOSEPH MUTEMI MUIITHYA ..... APPELLANT**

**AND**

**LILIAN NJERI ..... RESPONDENT**

**RULING**

1. The application dated 18/02/2025 under a Certificate of Urgency was served on the respondent as directed by this court. There is an affidavit of service showing that the respondent was served. The respondent did not attend court nor did he file any document to oppose the application. The application is not opposed. I allow the application.
2. I order that there be a Stay of Execution pending the hearing and determination of the Appeal. Costs in cause.

**DATED, SIGNED AND DELIVERED AT KITUI THIS 3<sup>RD</sup> DAY OF MARCH 2025.**

**HON. LADY JUSTICE L. GITARI**

**JUDGE**

