



**Opeth & another v Musa (Civil Appeal E018 & E005 of 2022  
(Consolidated)) [2024] KEHC 4655 (KLR) (6 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 4655 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BUSIA  
CIVIL APPEAL E018 & E005 OF 2022 (CONSOLIDATED)**

**WM MUSYOKA, J**

**MAY 6, 2024**

**BETWEEN**

**FREDRICK OMONDI OPETH ..... 1<sup>ST</sup> APPELLANT**

**JACKSON MUGA ONYANGO ..... 2<sup>ND</sup> APPELLANT**

**AND**

**ELISHA MUCHIRA MUSA ..... RESPONDENT**

*(An appeal arising from the judgement and decree of Hon. Lucy Ambasi, Chief Magistrate, CM, delivered on 26th April 2022, in Busia CMCCC No. 30 of 2017)*

**RULING**

1. The appeals herein were compromised, by a consent stated in open court, on 22<sup>nd</sup> April 2024.
2. The appeal file was ordered to be closed.

**DELIVERED BY EMAIL, DATED AND SIGNED IN CHAMBERS, AT BUSIA, THIS 6<sup>TH</sup> DAY OF  
MAY 2024**

**WM MUSYOKA**

**JUDGE**

Mr. Arthur Etyang, Court Assistant.

Advocates

Mr. Mirembe, instructed by Kimondo Gachoka & Company, Advocates for the appellant.

Ms. Anono, instructed by JV Juma & Company, Advocates for the respondent.

