



**Muroki & 6 others v Etaya (Environment and Land Case  
E045 of 2025) [2025] KEELC 6938 (KLR) (8 October 2025) (Ruling)**

Neutral citation: [2025] KEELC 6938 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT MERU  
ENVIRONMENT AND LAND CASE E045 OF 2025**

**BM EBOSO, J**

**OCTOBER 8, 2025**

**BETWEEN**

**MAORE MUROKI ..... 1<sup>ST</sup> APPELLANT**  
**KIMATHI MUROKI ..... 2<sup>ND</sup> APPELLANT**  
**KITHINJI MUROKI ..... 3<sup>RD</sup> APPELLANT**  
**ADAM MUROKI ..... 4<sup>TH</sup> APPELLANT**  
**ABELI MUROKI ..... 5<sup>TH</sup> APPELLANT**  
**THURANIRA MUROKI ..... 6<sup>TH</sup> APPELLANT**  
**STENDE MUROKI ..... 7<sup>TH</sup> APPELLANT**

**AND**

**DAVID MUTHIANE ETAYA ..... RESPONDENT**

**RULING**

1. This appeal fell for admission directions today. From the face of the memorandum of appeal, the impugned judgment was rendered on 28/5/2025. The appeal was filed on 30/6/2025. The limitation period under Section 16A of the *Environment and Land Court Act* and under Section 79G of the *Civil Procedure Act* is 30 days. The 30 days period lapsed on 27/6/2025, which was a working day.
2. At the time the appeal was lodged [30/6/2025], the limitation period had already lapsed. The appellants were required to first obtain an order enlarging the limitation period. There is no evidence they obtained an enlargement order.
3. Consequently, the appeal cannot be admitted. The appeal is fatally defective and stands to be struck out. The appeal is accordingly struck out.



4. In tandem with the general principle in Section 27 of the *Civil Procedure Act* – that costs follow the event, and in the absence of any proper grounds to justify a departure from the above general principle, the appellants shall bear costs of the appeal. It is so ordered.

**DATED, SIGNED AND DELIVERED AT MERU THIS 8TH DAY OF OCTOBER, 2025**

**B M EBOSO [MR]**

**ELC JUDGE**

