Godana & 2 others v Galgalo & 2 others (Environment and Land Appeal E002 of 2025) [2025] KEELC 7422 (KLR) (30 October 2025) (Judgment)

Neutral citation: [2025] KEELC 7422 (KLR)

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT ISIOLO

ENVIRONMENT AND LAND APPEAL E002 OF 2025

JO MBOYA, J

OCTOBER 30, 2025

BETWEEN

ALI GODANA .... 1ST APPELLANT

SOFIA AHMED MAALIM .... 2ND APPELLANT

ABDIGHAFAR ISMAIL .... 3RD APPELLANT

AND

WARIO GALGALO .... 1ST RESPONDENT

ADAN KANU .... 2ND RESPONDENT

HASSAN KANU .... 3RD RESPONDENT

(Being an appeal against the Judgment and orders of the chief magistrates' court (ELC at Isiolo) by Hon. M.A Odhiambo delivered on 24th January 2025)

JUDGMENT

1. The subject appeal arises from the Judgment delivered on the 24th January 2025; and the consequential decree arising therefrom and wherein the learned senior resident magistrate [Hon. M. A Odhiambo-SRM] found and held that the appellants had failed to prove their respective cases to the requite standard. To this end, the learned trial magistrate proceeded to and dismissed the various suits, namely; Isiolo CMC ELC 15 of 2020; Isiolo CMC ELC 14 of 2020; and Isiolo CM ELC 13 of 2020, respectively.
2. It is the said Judgment which has aggrieved the appellants and thus provoking the subject appeal.

3. The memorandum of appeal dated 31st January 2025; has highlighted the following grounds of appeal;

    i. The learned trial magistrate erred in fact in fact and at law by uploading the defendant's title when the record clearly showed that they were claiming through a deceased person without proof of letters duly issued.

    ii. The learned trial magistrate erred in fact and at law by failing to consider, analyze and uphold the testimonies tendered by PW 2 and PW 3 who tendered expert evidence in support of the plaintiff's cases.

    iii. The learned trial magistrate erred in fact and at law by determining the case in favour of the plaintiff on the basis of prima facie evidence contrary to the well-known standard of proof in civil cases.

    iv. The learned trial magistrate erred in fact and at law by ignoring the testimonies of county officials who supported the plaintiff's claims.

    v. The learned trial magistrate erred in fact and at law in that she failed to frame the proper issues, including the issue of the location of the subject properties as a result of which she came to the wrong conclusions.

    vi. The learned trial magistrate erred in fact and at law in that she upheld presented by the defendants, informing herself that the same were not probative of the defence case as pleaded and in any case not sufficient to establish title in favour of the defendants.

    vii. The learned trial magistrate erred in fact and at law in that she failed to crystallize the central issue in the trial, which issue was on the location of the suit plots.

4. The subject appeal came up for directions on 29th July 2025; whereupon learned counsel for the appellants intimated to the court that same had duly filed and served the record of appeal. Additionally, learned counsel posited that the record of appeal was complete and thus the appeal was ready for hearing. To this end, learned counsel for the appellants sought directions as pertains to the hearing and disposal of the appeal.

5. With the concurrence of learned counsel for the respondents, the court proceeded to and issued directions pertaining to the hearing and disposal of the appeal. In particular, the court directed that the appeal be canvassed and disposed of by way of written submission. Moreover, the court also circumscribed the timelines for the filing and exchange of the written submissions.

6. The Appellants filed written submissions dated 8th September 2025; and wherein same have highlighted and canvassed three [3] key issues for consideration and determination by the court. The issues highlighted by the appellants are namely; the trial magistrate erred by failing to frame the proper issues for determination; the trial magistrate erred by failing to consider the testimonies by the physical planner and the surveyor; the trial court erred in upholding the respondents' documents.

7. Regarding the first issue, learned counsel for the appellants has submitted that the trial court was bound by the pleadings that were filed by and on behalf of the respective parties. Moreover, it has been submitted that being an adversarial system, the parties and the court are guided by the pleadings and hence it was not proper for the learned trial magistrate to venture outside the scope of the pleadings and to interrogate the propriety/ process pertaining to the acquisition of the suit plots by the appellants.

8. Furthermore, it was submitted that the manner in which the appellants acquired their plot and the validity of the appellants' ownership rights were never questioned/ challenged by the respondents. On the contrary, it has been submitted that the respondents herein merely contended that same are strangers to the plots being claimed by the appellants and the allegations of trespass.

9. Additionally, it was submitted that the respondents ventured forward and posited that same are only aware of and privy to the fact that the disputed land is plot number BULLA NASSIE. To this end, it was submitted that it was not therefore open for the learned trial magistrate to engage herself with the question of process pertaining to the manner in which the suit plots were acquired, yet that issue had neither been pleaded nor canvassed by the parties.

10. In addition, it has been submitted that the learned trial magistrate also disregarded critical documentary evidence which had been tendered by/ on behalf of the appellants and which documents clearly proved that the appellants were the owners of the suit plots.

11. Pertinently, it has been submitted that the learned trial magistrate not only failed to frame the correct issues for determination, but proceeded to and determined issues which were outside the pleadings filed by the parties. In this regard, it has been contended that the impugned judgment of the learned trial magistrate is colored with grave errors and mis-directions.

12. To buttress the foregoing submissions, learned counsel for the appellants has cited and referenced the decision in the case of Independent Electoral and Boundaries Commission and Anor versus Stephen Mutinda Mule and Others [2014] eKLR; and Oudia versus Okello and 2 others [2022] eKLR, respectively.

13. As pertains to the second issue, learned counsel for the appellants has submitted that the learned trial magistrate ignored, disregarded and failed to consider the testimonies of the physical planner and the surveyor, respectively, who had been summoned to testify and indeed testified on behalf of the appellants.

14. In particular, it was submitted that the learned trial magistrate failed to consider the evidence of Peter Gitonga Nteere[PW2], who confirmed that the part development plans produced by the appellants were obtainable at the Department of Physical Planning and same were legitimate.

15. Additionally, it was submitted that the learned trial magistrate also failed to consider the aspect of the evidence of PW2, which clearly demonstrated that BULLA NASSIE and CHECHELESI are separate and distinct areas. On the other hand, it was also submitted that the learned trial magistrate also disregarded the evidence of the surveyor who testified as PW3. It was contended that the surveyor tendered evidence and confirmed that the suit plots fall within CHECHELESI area and that same belonged to the appellants.

16. Learned counsel for the appellants submitted that the physical planner and the surveyor were expert witnesses and hence their testimonies ought to have been given due weight and taken into account. Furthermore, it has been submitted that had the learned trial magistrate considered the testimonies of the named experts, same [Learned Magistrate] would no doubt have come to the conclusion that the appellants had established ownership of the suit plots and trespass.

17. To vindicate the importance of giving due weight and consideration to the evidence of an expert witness, learned counsel for the appellants has cited and referenced the decision in the case of Stephen Kinini Wang'ondu versus the Ark Limited [2016] eKLR; and Kilila versus Waita and 7 others [2025] KEELC 515, respectively.

18. Turning to the third issue, learned counsel for the appellants has submitted that the learned trial magistrate erred in upholding the documents that were tendered and produced by the respondents, yet the said documents were deficient and thus invalid.

19. It was contended that the learned trial magistrate failed to discern that the part development plan [PDP] which was referenced and relied upon by the respondents had neither been approved nor authenticated by the chief officer- County Government of Isiolo.

20. Moreover, it was submitted that the learned trial magistrate also failed to appreciate that the respondent herein had attempted to approach the lands offices under the pretext that same were the owners of the land located at BULLA NASSIE long after the death of the deceased and prior to obtaining the requisite grant of letters of administration.

21. Be that as it may, it has been submitted that the learned trial magistrate committed an error by allowing an illegality relative to the acquisition/ registration through the name of the deceased albeit without the requisite grant of letters of administration.

22. Simply put, it was contended that the judgment of the learned trial magistrate is vitiated by an illegality and thus same ought to be set aside.

23. Flowing from the foregoing submissions, learned counsel for the appellants has invited the court to find and hold that the Judgment of the trial court is vitiated by grave errors; and mis-directions; and thus same ought to be set aside. To this end, the court has been implored to set aside the judgment; and substitute same with an order allowing the appellants' claims in the subordinate court.

24. The Respondents filed written submissions dated 30th September 2025; and wherein same have raised and canvassed two [2] key issues, namely; the appellants failed to prove/ establish their claims as pertains to the suit plot; and the learned trial magistrate correctly appraised/ evaluated the evidence on record and thus arrived at the correct conclusions. Moreover, it has been posited that the burden of proof laid at the doorstep of the appellant and hence it was incumbent upon the appellant to prove the root of their title and thereafter establish trespass.

25. I have reviewed the record of appeal before me; taken into account the evidence on record [both oral and documentary]; and upon consideration of the written submissions filed by/ on behalf of the parties, I come to the conclusion that two issues crystallize for consideration and determination. The issue that crystallizes are namely; whether the appellants established/ proved their ownership rights to the suit plot or otherwise; whether the appellants established the key elements/ ingredients underpinning trespass, [if at all].

26. What is before me is a first appeal. By virtue of being a first appeal, I am bestowed with the mandate and authority to subject the entire evidence to fresh and exhaustive scrutiny, analysis, evaluation, and review in an endeavor to discern whether the conclusion[s] arrived at by the trial court accord with the evidence on record. Moreover, there is no gainsaying that I am at liberty to arrive at an independent conclusion and to depart from the findings/ conclusions of the trial court.

27. Nevertheless, it is important to underscore that even though the court is seized of the jurisdiction to depart from the factual and legal conclusions arrived at by the trial court, such departure can only be undertaken where it is shown that the findings/conclusions were arrived at on the basis of no evidence; were perverse to the evidence on record; were based on misapprehension of the evidence on record; or where it is shown that the trial court committed an error of principle which vitiates the findings under reference. Simply put, the first appellate court cannot depart from the findings and conclusions of the trial court at will.

28. The jurisdictional remit of the first appellate court has been the subject of various pronouncements by the Court of Appeal. In the case of Kenya Urban Roads Authority & another v Belgo Holdings Limited (Civil Appeal E011 of 2021) [2025] KECA 764 (KLR) (9 May 2025) (Judgment) the court stated thus;

> 37. We have considered the appeal and this being a first appeal, we are under a duty to subject the entire evidence and the judgment to a fresh and exhaustive examination with a view to reaching our own conclusions in the matter. In carrying out this duty, we have to remember that we had no opportunity of seeing and hearing the witnesses who testified during the trial and to make an allowance for the same. We have also to remember that it is a big thing to overturn the findings of a trial court which has had the singular opportunity of reaching its conclusions based on a combination of the evidence adduced and observation by the court of the demeanour of witnesses. In a nutshell, a first appellate court must of necessity proceed with caution in deciding whether or not to interfere with the findings of a trial court, but of course where such findings are not supported by the evidence on record or where they are founded on a misapprehension of the law, the axe must fall on the impugned judgement. This position is anchored in section 78 of the *Civil Procedure Act*, which requires a first appellate court to re-evaluate, reassess and reanalyse the extracts of the record and draw its own conclusions. These provisions have been underscored in numerous decisions of the Superior Courts, among them Peters v Sunday Post Limited [1958] EA 424, where the predecessor to this Court expressed itself as follows:
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> "Apart from the classes of case in which the powers of the Court of Appeal are limited to deciding a question of law, an appellate court has jurisdiction to review the record of the evidence in order to determine whether the conclusion originally reached upon that evidence should stand; but this jurisdiction has to be exercised with caution. If there is no evidence to support a particular conclusion (and this really is a question of law), the appellate court will not hesitate so to decide. But if the evidence as a whole can reasonably be regarded as justifying the conclusion arrived at on conflicting testimony by a tribunal which saw and heard the witnesses, the appellate court will bear in mind that it has not enjoyed this opportunity and that the view of the trial Judge as to where credibility lies is entitled to great weight. This is not to say that the Judge of first instance can be treated as infallible in determining which side is telling the truth or is refraining from exaggeration. Like other tribunals, he may go wrong on a question of fact, but it is a cogent circumstance that a judge of first instance, when estimating the value of verbal testimony, has the advantage (which is denied to the courts of appeal) of having the witnesses before him and observing the manner in which their evidence is given...
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> Where a question of fact has been tried by a judge without a jury, and there is no question of misdirection of himself, an appellate court which is disposed to come to a different conclusion on the printed evidence, should not do so unless it is satisfied that any advantage enjoyed by the trial Judge by reason of having seen and heard the witnesses, could not be sufficient to explain or justify the trial Judge's conclusion. The appellate court may take the view that,

without having seen or heard the witnesses, it is not in a position to come to any satisfactory conclusion on the printed evidence. The appellate court, either because the reasons given by the trial Judge are not satisfactory, or because it unmistakably so appears from the evidence, may be satisfied that he has not taken proper advantage of his having seen and heard the witnesses, and the matter will then become at large for the appellate court. It is obvious that the value and importance of having seen and heard the witnesses will vary according to the class of case, and, it may be, the individual case in question... It not infrequently happens that a decision either way may seem equally open and when this is so, then the decision of the trial Judge who has enjoyed the advantages not available to the appellate court becomes of paramount importance and ought not be disturbed. This is not an abrogation of the powers of a Court of Appeal on questions of fact. The judgment of the trial Judge on the facts may be demonstrated on the printed evidence to be affected by material inconsistencies and inaccuracies, or he may be shown to have failed to appreciate the weight or bearing of circumstances admitted or proved or otherwise to have gone plainly wrong."

29. With the foregoing in mind, it is now apposite to revert to the issues for consideration. I shall consider the issues, starting with whether the appellants established ownership rights to and in respect to the suit plots or otherwise.

30. It is imperative to recall and reiterate that the appellants approached the subordinate court contending that same are the lawful allotees of the suit plots. In respect of Isiolo CM ELC 15 OF 2020, the 1st appellant herein stated thus,

> " The plaintiff is and was at all material times the allottee and lawful owner of all that plot being CHECHE LESI C/ 1491 measuring 0.045 of a Ha or thereabout."

31. The same averments [like the one reproduced in the preceding paragraph] was repeated at the foot of the sister files, namely; 14 of 2020 and 13 of 2020 respectively.

32. My understanding of the contents of paragraph three of the plaints that were filed by the appellants drive me to the conclusion that the appellants were contending to be the lawful allottees of the suit plots.

33. Furthermore, the appellants also held themselves out as the lawful owners of the suit plots. In this regard, the appellants contended that on the basis of being lawful allotees and owners of the suit plots, same [appellants] were therefore entitled to partake of and benefit from the rights attendant to ownership of the suit plots.

34. It is the appellants who had walked to the court the plea of being lawful allottees and owners. Having raised and impleaded the issue of being lawful allottees and owners of the suit plots, it was incumbent upon the appellants to tender and place before the trial court plausible, cogent; concrete and credible evidence to underpin their contention. Suffice it to state that it was not the business of the trial court to prod the appellants to bring all their documents or to justify their acquisition of the suit plots.

35. On the contrary, it was the duty and obligation of the trial court to interrogate the totality of the evidence tendered and to discern whether same [evidence] suffice to prove the plea of allotment and ownership. For good measure, the learned trial magistrate correctly apprehended her duty and obligation and duly interrogated the documents that were tendered by/ on behalf of the appellants.

36. Firstly, the learned trial magistrate observed that the appellants herein merely tendered a letter dated 13th June 2019 by Isiolo County physical planning officer; property rate payment receipt; PDP circulation form; PDP; and an approval form, respectively.

37. Having considered the documents that were tendered by the appellants, the learned trial magistrate correctly guided herself in finding and holding that the appellants neither tendered nor produced an application for allotment of land; minutes of the county council of Isiolo[now defunct] approving the application for allotment; or the requisite letter of allotment. In the absence of the said foundational documents, the learned trial magistrate correctly found and held that the appellants had failed to establish their claims as pertain to allotment and ownership of the suit plots.

38. It is instructive to underscore that the learned trial magistrate was not called upon to proceed on the basis of assumption and hypothesis. Put differently, the learned trial magistrate was not called upon to gloss over the assertions that the appellants are the allottees and owners of the suit plots. The said assertions formed the crux/substratum of the appellant's case. The assertions were foundational and hence proof thereof was paramount.

39. Moreover, the learned counsel for the appellant has also contended that the learned trial magistrate ignored, disregarded and failed to consider the expert evidence that was tendered by the county physical planner PW2 and the surveyor [PW3] respectively. However, it is not lost on me that the learned trial magistrate indeed considered the testimony of the two experts and thereafter came to the conclusion that their testimonies could not override the provisions of the law and the established, nay structured process governing the allotment of land.

40. I beg to state that the learned trial magistrate correctly apprehended the legal position and regime governing allotment of what was previously trust land. In particular, it is common ground that the allotment of government land [now public land] is a structured process. Moreover, there is no gainsaying that a part development plan by and of itself does not constitute/ amount to allocation of land.

41. Moreover, there is no gainsaying that a part development plan [PDP] is a planning tool and whose role is to discern the availability of the designated plot for a specific project; or alienation. The part Development plan does not constitute an allotment Letter; and neither does it confer rights, or at all.

42. Put differently, a part development plan is a prelude to the issuance of a letter of allotment. It is the letter of allotment in favor of the designated party, namely [the allottee] that anchors the allocation/ alienation of a particular land or plot. It is the bearer of a letter of allotment who becomes and allottee and not otherwise.

43. In respect of the instant matter, it is common ground that none of the appellants tendered or produced a letter of allotment. For good measure, the appellants merely tendered and produced the part development plan. On the basis of the part development plans, the appellants held themselves out as being allottees and by extension owners of the suit plots.

44. I am afraid that the position that was taken and propagated by the appellants is erroneous. Additionally, the said position is premised on a misapprehension of the import and legal tenor of a part development plan.

45. In the case of Dina Management Ltd v County Government of Mombasa & 5 others (Petition 8 (E010) of 2021) [2023] KESC 30 (KLR) (Constitutional and Human Rights) (21 April 2023) (Judgment) the Supreme Court expounded on the process attendant to allocation of government land [now public

land]. Moreover, the apex court also underscored the legal import of an approved part development plan.

46. For coherence the court stated thus:

The procedure for the allocation of unalienated land is laid out by the Environment and Land Court in Nelson Kazungu Chai & 9 others v Pwani University [2014] eKLR as follows:

> "…It is trite law that under the repealed Government Lands Act, a Part Development Plan must be drawn and approved by the Commissioner of Lands or the Minister for lands before any un-alienated Government land could be allocated. After a Part Development Plan (PDP) has been drawn, a letter of allotment based on the approved PDP is then issued to the allotees.
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> 131. It is only after the issuance of the letter of allotment, and the compliance of the terms therein, that a cadastral survey can be conducted for the purpose of issuance of a certificate of lease. This procedural requirement was confirmed by the surveyor, PW3. The process was also reinstated in the case of African Line Transport Co Ltd v Attorney General, Mombasa HCCC No 276 of 2013 where Njagi J held as follows: "Secondly, all the defence witnesses were unanimous that in the normal course of events, planning comes first, then surveying follows. A letter of allotment is invariably accompanied by a PDP with a definite number. These are then taken to the department of survey, who undertake the surveying.
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> Once the surveying is complete, it is then referred to the Director of Surveys for authentication and approval. Thereafter, a land reference number is issued in respect of the plot 132. A part development plan (PDP) can only be prepared in respect to Government land that has not been alienated or surveyed

47. To my mind, the part development plans which were propagated by the appellants did not constitute same as allottees and by extension owners of the suit plots. For good measure, the appellants needed to have done more.

48. Finally, it is important to highlight that the question as to whether or not the appellant were the allottees and thus the owners of the suit plots, was critical; essential; and paramount. To this end, the learned trial magistrate correctly distilled the issue as to ownership of the suit plots.

49. Additionally, the learned trial magistrate correctly guided herself in interrogating the root of the appellant's claims and hence the contention that the learned trial magistrate distilled an erroneous issue is mis-conceived and misleading.

50. Similarly, I find and hold that in addressing and determining the legality or otherwise of the appellants' ownership rights, the learned trial magistrate did not contravene the doctrine of departure which underlines that parties are bound by their pleadings.

51. In the premises, I am unable to appreciate the foundation upon which learned counsel for the appellants has invoked and referenced the decision in the case of IEBC and another versus Stephen Mutinda Mule and 3 other[2014] eKLR. Nevertheless, I hold the humble view that the ratio decidendi in the said case is inapplicable to the circumstances beforehand.

52. Turning to the second issue, namely; whether the appellants established/ proved the plea of trespass or otherwise. It is imperative to highlight that the appellants herein had contended that same are the

lawful allottees of the suit plots and that the respondents had trespassed thereto without color of right; permission; or authority of the appellants.

53. It is important to underscore that proof of trespass requires the claimant to first and foremost establish title, or entitlement to the designated plot. Put differently, the claimant must prove that same has title to the designated land or better still has a right to immediate and exclusive possession of the designated property, as a prelude to proving trespass.

54. The elements that underpin a claim of trespass were aptly captured in the case of Kenya Power & Lighting Company Ltd v Ringera & 2 others (Civil Appeal E247 & E248 of 2020 (Consolidated)) [2022] KECA 104 (KLR) (4 February 2022) (Judgment) where the Court of Appeal stated as hereunder:

> The correct approach the trial court ought to have taken to vindicate the respondents as against the alleged appellant's trespass on their respective suit properties and which this Court should employ in addressing these issues in these consolidated appeals is that taken by this Court in the case of M'Mukanya vs. M'Mbijiwe [1984] KLR 761 in which this Court citing with approval the case of Municipal Council of Eldoret vs. Titus Gatitu Njau [2020] eKLR expressed itself, inter alia, that:"Trespass is a violation of the right to possession and a plaintiff must prove that he has the right to immediate and exclusive possession of the land which is different from ownership."

55. Recently, the elements that underpin a claim of trespass were highlighted in the case of Doshi v Chemutut & 7 others (Civil Appeal E020 of 2023) [2025] KECA 776 (KLR) (9 May 2025) (Judgment) where the court of appeal stated thus:

> 39. Trespass, as stated by this Court in the case of Charles Ogejo Ochieng v Geoffrey Okumu [1995] KECA 169 (KLR), is an injury to a possessory right, and therefore the proper plaintiff in an action of trespass to land is the person who has title to it, or a person who is deemed to have been in possession at the time of the trespass. As for the ingredients of trespass, the Court in William Kamunge Gakui v Eustace Gitonga Gakui (Civil Appeal 16 of 2013) [2014] KECA 39 (KLR) stated that trespass is a violation of the right to possession, and that a plaintiff must prove that he has the right to immediate and exclusive possession of the land. Justice Chemutut did not name Mr. Doshi as a defendant in the suit.

56. Did the appellants prove the plea of trespass? Firstly, I have already found and held that the appellants did not prove or establish allotment of the suit plots. Moreover, I have affirmed the findings of the learned trial magistrate. In this regard, there is no gainsaying that having failed to establish allotment and ownership, the claim as pertains to trespass falls flat.

57. Other than the foregoing, it is also imperative to recall that the appellants did not place before the trial court any evidence to show that the respondents herein had indeed entered and encroached upon their [appellants plots]. On the contrary, the respondents posited that what same were occupying was plot No. BULLA NASSIE 146.

58. What becomes discernible is that the respondents were intimating to the Court that same had lawful authority over the land in question. The elements underpinning trespass were clearly not established.

59. Learned counsel for the appellants has accused the learned trial magistrate of upholding the documents by the respondents even though same were deficient and devoid of the requisite approvals. Moreover,

it has been contended that by upholding the respondents' documents, the learned trial magistrate committed an illegality.

60. I beg to state that it is the appellants who had raised the claim before the trial court. It was then the appellants duty/ obligation to prove their case. Sadly, the appellants failed to do so and their case was rightfully dismissed. There being no counterclaim, the issue that the learned trial magistrate upheld the respondents' documents becomes irrelevant and inconsequential.

61. Flowing from the foregoing analysis; and taking into account the principles espoused in the case of Peters versus Sunday Post Limited [1958 EA; Jabane versus Olenja 1986 eKLR; I come to the inevitable conclusion that the subject appeal is meritless.

Final Disposition

62. For the reasons which have been highlighted in the body of the Judgment, it must have become apparent that the subject appeal courts dismissal.

63. In the end, the final orders that commend themselves to the Court are as hereunder:

   i. The Appeal be and is hereby dismissed.

   ii. The Judgment of the subordinate court dated 24th January 2025; and the consequential decree arising therefrom be and are hereby affirmed.

   iii. Cost of the Appeal be and are hereby awarded to the Respondents.

   iv. Cost in terms of clause [iii] shall be agreed upon and in default be taxed in the conventional manner.

64. It is so ordered.

DATED, SIGNED AND DELIVERED AT ISIOLO THIS 30TH DAY OF OCTOBER 2025.

OGUTTU MBOYA, FCIArb; CPM [MTI-EA].

JUDGE

In the presence of:

Hussein/Mukami – Court Assistant

Mr. A.K Mwangi holding brief for Mr. Athur Ingutia for the Appellants

Mr. Frank Gitonga for Respondents