



REPUBLIC OF KENYA



KENYA LAW
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**Ndaithira v Inongo (Civil Case E040 of 2025)
[2025] KEHC 15736 (KLR) (15 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 15736 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
CIVIL CASE E040 OF 2025
DO CHEPKWONY, J
OCTOBER 15, 2025**

BETWEEN

MUTURI GATORU NDAITHIRA PLAINTIFF

AND

NANCY NYAMBURA INONGO DEFENDANT

RULING

1. This matter is scheduled for interparties hearing of the Notice of Motion application dated 11th September, 2025 in which the Plaintiff/Applicant is seeking for orders that:-
 - a. Spent.
 - b. Spent.
 - c. The Honourable Court be pleased to issue an order authorising and directing the Public Health Officer, County Government of Kiambu in the presence of the family of the deceased and under the supervision of the Officer Commanding Station (OCS) Ruaka Police Station to oversee the exhumation and dignified re-interment of the remains of the said deceased persons.
 - d. The costs of the exhumation exercise be borne by the

Plaintiff/Applicant.

2. The application is premised on the grounds set out on its face and reiterated in the Supporting Affidavit sworn by Muturi Gatoru Ndaihira on even date.
3. According to the counsel for the Applicant and Respondent in person, the3 application is not opposed.
4. In the circumstances, the Notice of Motion application dated 11th September, 2025 be and is hereby allowed in the following terms:-



- a. That an order be and is hereby issued authorising and directing the Public Health Officer, County Government of Kiambu to oversee the exhumation and dignified re-interment of the remains of Robert Kimiti Muturi and Esther Wambui Njunge (Deceased persons) in the presence of the family of the deceased and under the supervision of the Officer Commanding Station (OCS) Ruaka Police Station.
- b. The costs of the exhumation exercise to be borne by the Plaintiff/Applicant.

It is so ordered.

RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 15TH DAY OF OCTOBER, 2025.

D. O. CHEPKWONY

JUDGE

In the presence of:

Mwakireti counsel for Plaintiff/Applicant

Respondent in person – present

Court Assistant – Martin/Sakina

