



REPUBLIC OF KENYA



Homebay Property Limited v Fan & another; Minxue (Interested Party) (Environment and Land Case E017 of 2025) [2025] KEELC 7893 (KLR) (13 November 2025) (Ruling)

Neutral citation: [2025] KEELC 7893 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT AND LAND CASE E017 OF 2025
CG MBOGO, J
NOVEMBER 13, 2025**

BETWEEN

Homebay Property Limited PLAINTIFF

AND

Min Fan 1ST DEFENDANT

Quinhai Lui 2ND DEFENDANT

AND

Qin Minxue INTERESTED PARTY

RULING

1. When I retired to write the ruling in respect of the notice of motion dated 20th January, 2025, and upon a careful perusal of the record herein, I noted the following: -
 - i. The dispute between the parties arises out of the suit property known as LR. No. 2/723 wherein the plaintiff/ applicants contends a fraudulently registered sublease dated 6th June, 2023.
 - ii. The said sublease is in consideration of KShs.12,000,000/-.
 2. Taking into consideration the value of the subject matter, and prayer a of the plaint which seeks a cancellation of the sublease, it is my finding that the dispute between the parties ought to be heard and determined by the Chief Magistrates court.
 3. For this reason, this court cannot pronounce itself on the issue at hand. This file is hereby transferred to the Chief Magistrates, ELC Milimani for hearing and determination on a priority basis.
- Orders accordingly.



DATED, SIGNED & DELIVERED VIRTUALLY THIS 13TH DAY OF NOVEMBER, 2025.

HON. MBOGO C.G.

JUDGE

13/11/2025.

In the presence of:

Mr. Benson Agunga - Court assistant

Mr. Gakuru for the Plaintiff

Mr. Opere for the Defendant - absent

