



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELCL (JR) CASE NO. 15 OF 2019

**STEPHEN KATHUTHU.....EX-PARTE
APPLICANT**

=VERSUS=

**DISTRICT LAND ADJUDICATION & SETTLEMENT OFFICER,
TIGANIA EAST AND WEST1ST
RESPONDENT**

**THE DEPUTY COUNTY COMMISSIONER.....2ND
RESPONDENT**

**THE ATTORNEY GENERAL.....3RD
RESPONDENT**

=AND=

**THERESA MICHUKI KIUNGA (*Suing as the Legal
Representative of the estate of STEPHEN MICHUKI KIUNGA***

**-
DECEASEDIN
INTERESTED PARTY**

RULING

(EX-TEMPORE)

1. The court has considered the application dated 18/11/2025. The applicant seeks an order directing the Deputy Registrar to recover the costs awarded to the applicant costs in this suit and in Meru ELC Appeal No. E084 of 2024 from the deposit made in Meru ELC Appeal No. E084 of 2024.
2. The application is unopposed. However, for proper record, the plea for recovery of the costs of Kshs 50,000 awarded in **Meru ELC Appeal No. E084/2024** should be made in Meru ELC Appeal No. E084/2024.
3. The court will only allow recovery of the court's awarded and taxed costs in this cause [Meru ELC JR Application No. 15 of 2019], in the sum of Kshs 139,170. The said sum is to be recovered from the deposit in Meru ELC Appeal No. E084/2024.
4. There will be no award of costs on the application.

DATED, SIGNED AND DELIVERED AT MERU THIS 2ND DAY OF DECEMBER, 2025.

B M EBOSO [MR]

JUDGE

IN PRESENCE OF

Mr. Otieno holding brief for Mr. Mwirigi Kaburu for the Interested Party.

No appearance for the Respondents

Court Assistant - Mr. E. Tupet