



REPUBLIC OF KENYA



**Wachira v Mukigi (Civil Appeal E1301 of 2024)
[2025] KEHC 17941 (KLR) (Civ) (2 December 2025) (Ruling)**

Neutral citation: [2025] KEHC 17941 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

CIVIL

CIVIL APPEAL E1301 OF 2024

LP KASSAN, J

DECEMBER 2, 2025

BETWEEN

ANGELO N WACHIRA APPLICANT

AND

JOHN M MUKIGI RESPONDENT

RULING

1. This is an application to substitute security in cash to a title deed. The Court had ordered that the Appellant deposits the decretal amount to an escrow account prompting this Application.
2. I have read all the relevant documents and authorities. No details of the said title deed were annexed. No search or other documents were produced to demonstrate seriousness on the part of the Appellant to offer title deed as security.
3. The judgement of the lower Court was in a liquid form and that is what the Respondent is expected to be compensated with. The process of securing a title deed as a security is lengthy and even in realising it, it is much more complicated. Depositing the decretal amount in an escrow account is easier, secure for both parties and will attract interests.
4. The upshot of the above is that the application dated the 6th day of January 2025 is dismissed with costs.

DATED, DELIVERED VIRTUALLY AND SIGNED ON THIS 2ND DAY OF DECEMBER 2025.

HON L P KASSAN

JUDGE

In the presence of;

Wambui holding brief Khisa for Applicant



Kibiku for Respondent

Carol – Court Assistant

