



Ahurah v Director, National Transport & Safety Authority (NTSA) (Miscellaneous Application E373 of 2025) [2026] KEHC 14 (KLR) (6 January 2026) (Ruling)

Neutral citation: [2026] KEHC 14 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
MISCELLANEOUS APPLICATION E373 OF 2025
RN NYAKUNDI, J
JANUARY 6, 2026**

BETWEEN

ERASTUS PO AHURAH APPLICANT

AND

**THE DIRECTOR, NATIONAL TRANSPORT & SAFETY AUTHORITY
(NTSA) RESPONDENT**

RULING

1. Before this Court is an Application dated 4th November 2025 brought under under Order 22 Rule 67 of the Civil Procedure Rules, section 3A of the *Civil Procedure Act* and any other enabling provisions of the Law. The Applicant moved this Court seeking the following orders;
 - a. That the Honorable Court be pleased to issue a vesting order compelling the director, National Transport and Safety Authority (NTSA) to transfer ownership of Motor Vehicle Registration Number KBE 232Y to the Applicant forthwith.
 - b. That the Respondent do issue the Applicant with a duplicate logbook effectively vesting ownership of the said motor vehicle to the Applicant.
 - c. That costs of this application be provided for.
2. The Applicant is made on the following grounds;
 - i. That the Applicant bought the subject Motor vehicle KBE 232Y on or around 16th August, 2012 for valuable consideration.
 - ii. That the Applicant and the previous owner duly executed a transfer form in favor of the applicant and the applicant took possession of the motor vehicle since then.



- iii. That the transaction occurred back in 2012 when digital transfer of motor vehicles was nonexistent and parties needed a duly executed transfer form together with other documents deposited with the National Transport and Safety Authority (NTSA) in order to effect a transfer.
 - iv. That the applicant did not effect the transfer back then and decided to do so recently.
 - v. That the respondent declined to effect the transfer until a tapelift report from Directorate of Criminal Investigations is done to ascertain the applicant's averment.
 - vi. That the Respondent also requires the applicant to obtain a court order directing it to transfer the said motor vehicle.
 - vii. That it is in the interest of justice that this Honorable Court compels the Respondent to effect the transfer to reflect the Applicant as the rightful owner so that he can continue enjoying the fruits of his purchase.
3. The Application is supported by an Affidavit which deponed as follows;
- a. That I am a male adult and the Applicant herein. I am therefore competent to swear this affidavit.
 - b. That I purchased the subject Motor vehicle KBE 232Y on or around 16th August, 2012 for valuable consideration.
 - c. That the previous owner and I duly executed a transfer form in my favor and I immediately took possession of the motor vehicle since then.
 - d. That the transaction occurred back in 2012 when digital transfer of motor vehicles was nonexistent and parties needed a duly executed transfer form together with other documents deposited with the National Transport and Safety Authority (NTSA) in order to effect a transfer. (Attached herein and marked "EA1" is a copy of the transfer form).
 - e. That I did not effect the transfer back then and decided to do so recently.
 - f. That the respondent declined to effect the transfer until a tapelift report from the Directorate of Criminal Investigations was done to ascertain my averment as being the true owner of the subject motor vehicle. (Attached herein and marked "EA2" is a tapelift report from the Directorate of Criminal Investigations dated 20/03/2025).
 - g. That the Respondent also requires me to obtain a court order directing it to transfer the said motor vehicle.
 - h. That I depose this affidavit in support of my application for orders compelling the Director, National Transport & Safety Authority (NTSA) to register the vehicle registration Number KBE 232Y in my name and issue me with a duplicate logbook and thus vest the ownership of the vehicle to me.
 - i. That what is deponed herein is true to the best of my knowledge save as to matters deponed on information the sources whereof have been disclosed and matters deponed on belief the grounds whereof have been given



Decision

4. This Application by way of chamber summons seeks a vesting order against the Respondent involving the subject motor vehicle KBE 232Y which was duly purchased by the Applicant on or about 16th August 2012 of valuable consideration. It is deponed in the Affidavit that the purchase occurred way back in 2012 where digital transfer of motor vehicle was nonexistent. However, notwithstanding that position the parties executed the necessary transfer document within the regulatory premise of the law. See the decision in *Abdi vs National Transport and Safety Authority* [2025] KEHC 1308 (KLR)
5. It is clear from the facts of this case that the motor vehicle in question was duly transferred to the Applicant as at the time when the applicable portal was manually processed to effect change of user and benefit. Having said so, I hereby find merit to grant the orders sought in the Chamber Summons dated 4th November 2025 coached in the following language;
 - i. That a vesting order do issue compelling the director NTSA who is the Respondent to this proceeding to transfer ownership of motor vehicle registration number KBE 232Y to the Applicant forthwith.
 - ii. That thereafter the Applicant be issues with a duplicate logbook effectively vesting the ownership with the said motor vehicle to the Applicant.
 - iii. That the costs or fees and other incidentals be met by the Applicant.
 - iv. As a consequence of this, the order be served upon the Respondent to comply accordingly.
6. It is so ordered

GIVEN UNDER MY HAND AND THE SEAL OF THIS COURT THIS 6TH JANUARY 2026

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R. NYAKUNDI
JUDGE

