



**Muthare & 9 others v Land Adjudication and Settlement Officer
– Tigania East and West & 2 others (Environment and Land Case
23 of 2018) [2026] KEELC 132 (KLR) (19 January 2026) (Ruling)**

Neutral citation: [2026] KEELC 132 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MERU
ENVIRONMENT AND LAND CASE 23 OF 2018
BM EBOSO, J
JANUARY 19, 2026**

BETWEEN

- JOSEPH NKUBANIA MUTHARE 1ST PLAINTIFF**
- JACOB MUTIRITHIA M'IKIYU 2ND PLAINTIFF**
- DORCAS NKOYAI NNKUBIRIA 3RD PLAINTIFF**
- AGATA N ANDIRIANO 4TH PLAINTIFF**
- JOYCE GACHERI GATOBU 5TH PLAINTIFF**
- LUCY NKATHA KIREMA 6TH PLAINTIFF**
- CHRISTINE KALULU 7TH PLAINTIFF**
- JEREMIAH KAILIKIA 8TH PLAINTIFF**
- JULIUS NGIRI 9TH PLAINTIFF**
- JOHANA GICHUNGE M'LARIA 10TH PLAINTIFF**

AND

- THE LAND ADJUDICATION AND SETTLEMENT OFFICER – TIGANIA EAST
AND WEST 1ST DEFENDANT**
- MERU COUNTY GOVERNMENT 2ND DEFENDANT**
- AMUTHUMBA/NGAREMARA PATROLALISTS COMMUNITY BASED
ORGANISATION (THROUGH THE CHAIRMAN JUSTUS MUGAA
IMPUI) 3RD DEFENDANT**



RULING

1. Once a notice of appeal is lodged in the ELC Registry in relation to an impugned decision of the court, it is transmitted to the Court of Appeal Registry. At this point, it is the Court of Appeal which is seized of the Notice of Appeal. The Notice of Appeal can only be marked “Withdrawn” by the Court of Appeal which is seized of it. The oral plea to withdraw the notice of appeal is misdirected.

DATED, SIGNED AND DELIVERED AT MERU THIS 19TH DAY OF JANUARY, 2026.

B M EBOSO [MR]

ELC JUDGE

In the presence of:

Mr Otieno holding brief for Mr Mwirigi Kaburu for the 2nd Defendant.

Ms Mugo for the plaintiffs

1st Defendant - Absent.

Court Assistant – Mr. E. Tupet

