



**Kithi v George & 9 others (Environment and Land Case
E063 of 2024) [2026] KEELC 546 (KLR) (4 February 2026) (Ruling)**

Neutral citation: [2026] KEELC 546 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MALINDI
ENVIRONMENT AND LAND CASE E063 OF 2024
FM NJOROGE, J
FEBRUARY 4, 2026**

BETWEEN

JULIUS KATANA KITHI APPELLANT

AND

KAZUNGU FANDE GEORGE & 9 OTHERS RESPONDENT

RULING

1. In the application dated 31st October 2024 the plaintiff seeks numerous orders among them that pending the hearing and determination of the appeal the appealed decision be set aside and also that pending the hearing and determination of the appeal the 10th respondent be compelled to issue the appellant with his parcel number for the portion where he lives with his family. The other significant prayer is seeking information from the 10th respondent. The application is supported by the sworn affidavit of the applicant.
2. This court ordered that submissions be filed by the parties for the disposal of the motion but none were filed within the time frames that were set by this court and the application was not therefore prosecuted. I therefore dismiss the application dated 31/10/2024 for want of prosecution.

DATED, SIGNED AND DELIVERED AT MALINDI ON THIS 4TH DAY OF FEBRUARY 2026.

MWANGI NJOROGE

JUDGE

ELC, MALINDI

