

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT BUSIA
CIVIL APPEAL NO. E041 OF 2025

PAMELA AKOCHI NABWIRE.....
APPELLANT

VERSUS

GEORGE BWIRE WAFULA..... **1ST RESPONDENT**

WATU NOMINEE COMPANY LTD..... **2ND**
RESPONDENT

PAUL ODHIAMBO..... **3RD RESPONDENT**

JACKLINE NAKHOLI ODWORI..... **4TH RESPONDENT**

(Appeal from the Judgement and decree of Hon. Anne Njeru, Senior Resident Magistrate, SRM, delivered of 8th May 2025, in Port Victoria PMCC No. E007 of 2024)

RULING

1. I am unable to write a judgment in this matter. The trial court records availed do not have the original, or copies of the original, pleadings filed in that matter.
2. I have no basis of telling whether the pleadings in the record of appeal are the same as those utilized by the trial court to write the judgment and appeal.
3. Deputy Registrar shall call for the original pleadings, or copies thereof, from the trial court, used to conduct the trial. The matter shall be mentioned, thereafter, on date to be allocated by the Deputy Registrar.

**DELIVERED, VIA EMAIL, DATED AND SIGNED IN CHAMBERS, AT BUSIA, ON
THIS 9TH DAY OF FEBRUARY 2026.**

WM MUSYOKA
JUDGE

Mr. Arthur Etyang, Court Assistant.

Advocates

Ms. Angode, instructed by EO Kweyu & Company, Advocates for the appellant.

Ms. Nakhulo, instructed by Omwenga & Company, Advocates for the 1st respondent.

Mr. Wabomba, instructed by Wabomba Masinde & Associates, Advocates for the 2nd respondent.

Ms. Kenjel, instructed by Nabibia & Company, Advocates for the 3rd & 4th respondents.