



**Ukulima Housing Co-op Ltd v Owiti (Miscellaneous Civil Application
E054 of 2025) [2026] KEHC 1189 (KLR) (Civ) (10 February 2026) (Ruling)**

Neutral citation: [2026] KEHC 1189 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CIVIL
MISCELLANEOUS CIVIL APPLICATION E054 OF 2025
AC MRIMA, J
FEBRUARY 10, 2026**

BETWEEN

UKULIMA HOUSING CO-OP LTD APPLICANT

AND

COLLINS KOMORA OWITI RESPONDENT

RULING

1. This is a ruling in respect of an Amended Notice of Motion dated 4th February 2025 which sought the following orders: -
 1. That this Application be certified as urgent and be heard ex-parte in the first instance.
 2. That this Honourable Court be pleased to grant stay of execution of the decree issued by the Honourable Cooperative Tribunal in CTC/E697/2023 Collins Komora Owiti Vs Ukulima Housing Cooperative Society Limited on the 22nd of October, 2024 together with all the consequential orders herein pending the hearing and determination of this application.
 3. That the Interlocutory Judgment and decree issued against the Applicant in CTC/E697/2023 Collins Komora Owiti Vs Ukulima Housing Cooperative Society Limited on the 22nd of October, 2024 together with all consequential orders be stayed pending the hearing and determination of this application.
 4. That the costs of this Application be on the cause.
2. Since the gist of the application was to stay the execution of the judgment before the Co-operative Tribunal pending the determination of the instant application and no more, it, therefore, serves no meaningful purpose to consider the application further for the simple reason that there are other prayers sought post the determination of the application.



3. To this Court, the application as tailored serves no meaningful purpose post this ruling. In that regard, the following orders hereby issue: -

(a) The Amended Notice of Motion dated 4th February 2025 is hereby dismissed with costs.

(b) The matter is hereby marked as CLOSED.

Orders accordingly.

DELIVERED, DATED AND SIGNED AT NAIROBI THIS 10TH DAY OF FEBRUARY, 2026.

A. C. MRIMA

JUDGE

Ruling virtually delivered in the presence of:

Mr. Olando, Learned Counsel for the Respondent.

Michael/Amina - Court Assistants.

