



**Chabari v Nkabune (Environment and Land Miscellaneous Application  
E028 of 2025) [2025] KEELC 5641 (KLR) (28 July 2025) (Ruling)**

Neutral citation: [2025] KEELC 5641 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT MERU  
ENVIRONMENT AND LAND MISCELLANEOUS APPLICATION E028 OF 2025**

**BM EBOSO, J  
JULY 28, 2025**

**BETWEEN**

**MUGAMBI CHABARI ..... APPLICANT**

**AND**

**THURANIRA NKABUNE ..... RESPONDENT**

**RULING**

1. I have considered the notice of motion dated 16/6/2025. *Meru HCCC No. 129 of 1995* in respect of which the applicant seeks an order authorizing reconstruction of the court file existed as a civil case in the High Court Registry. It is alleged that the suit was dismissed by Sitati J. The Hon Sitati served as a High Court Judge.
2. In the absence of evidence that the said file was registered as an Environment and Land Court file, the proper Registry to deal with reconstruction and/or reinstatement is the High Court Registry. After reconstruction and/or reinstatement, the High Court will be at liberty to transfer the file to the Environment and Land Court. At this point, there is no evidence that the file existed in the Environment and Land Registry.
3. Consequently, the application dated 24/6/2025 is struck out for being misdirected. Taking into account the fact that it is the High Court Registry that has failed to avail the file and this is what prompted the filing of the application, parties will bear their respective costs of the application.

**DATED, SIGNED AND DELIVERED AT MERU THIS 28TH DAY OF JULY, 2025**

**B M EBOSO [MR]**

**JUDGE**

**In the Presence of**

Ms Kaunyangi for the Applicant



Mr. Ondieki for the Respondent

Court Assistant – Tupet

