

**REPUBLIC OF KENYA**  
**IN THE HIGH OF KENYA AT MERU**  
**MISC. CIVIL APPLICATION NO. E175 OF 2025**

**KENYA                      WILDLIFE                      SERVICE.....INTENDED**  
**APPELLANT/APPLICANT**

**VERSUS**

**FRIDAH    KAMBURA.....**  
**.....RESPONDENT**

**RULING**

1. On 16/3/2026, this court, dealt with Civil Misc. Application No. **E128/2025 Kenya Wildlife Service v Terethina Mwengwa**, wherein it granted the Applicant herein stay of execution and leave to appeal out of time with specific directions in the following terms; ***“The finding herein relates only to this file and does not apply at all to SCCC No. E327, E329, E332, E334, E336, E338, E340,***

***E342, E344 and E347. Temporary orders issued in these files are accordingly vacated.”***

2. Evidently, the issues of sub judice and/or res judicata do not arise given the foregoing finding, and I therefore, accordingly, find that the Respondent’s Preliminary Objection dated 17/3/2026 is untenable and it is hereby struck out.

3. The application dated 21/11/2025 shall proceed for hearing and determination on its merits.

**DATED AND DELIVERED AT MERU THIS 19<sup>TH</sup> DAY OF MARCH, 2026.**

**S. M. GITHINJI**  
**JUDGE**

**Parties-**

Mr. Mutai for the Applicant.

Mr. Onyango holding brief for Miss Aketch for the Respondent.

**S. M. GITHINJI**  
**JUDGE**