



REPUBLIC OF KENYA



Lerionka v Tentei (Land Case E102 of 2024) [2026] KEELC 1839 (KLR) (24 March 2026) (Ruling)

Neutral citation: [2026] KEELC 1839 (KLR)

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT KAJIADO
LAND CASE E102 OF 2024
MD MWANGI, J
MARCH 24, 2026

BETWEEN

WANJA ENE LERIONKA PLAINTIFF

AND

KOYOI OLE TENTEI DEFENDANT

(In respect of the Motion dated 26th September 2025)

RULING

1. This Ruling is a follow up to the earlier ruling of 27th November 2025 whereby the court directed that file No. Kajiado CMELC E145 of 2024 before the Chief Magistrate's Court at Kajiado be availed to enable the Court to issue appropriate directions in view of the submissions by the parties that this matter and the one before the Chief Magistrate Court are between the same parties and in relation to the same subject matter.
2. Having perused the pleadings in the two matters, the court confirms that the two cases indeed relate to the same subject matter are between the same parties.
3. This court therefore allows the Defendant's Notice of Motion dated 26th September 2025 and sets aside the ex-parte proceedings in this case. The Statement of Defence and the Documents attached to the application by the Defendant dated 26th September 2025 shall be deemed as duly filed upon payment of the requisite court fees in the next fourteen (14) days.
4. The suit before the Chief Magistrate Kajiado was filed earlier in time than the suit before this court rendering the suit before this court sub judice in terms of the provisions of Section 6 of the Civil Procedure Act. The court therefore issues an order of stay of this suit pending hearing and determination of the suit before the Chief Magistrate being Kajiado CMELC E145 of 2024.



5. Consequently, under the provisions of Section 18(b)(iii) of the *Civil Procedure Act*, the court retransfers the file Kajiado CMELC 145 of 2024 back to the Chief Magistrate Court at Kajiado for trial and disposal accordingly.

6. There shall be no orders as to costs.

Ordered accordingly.

DATED SIGNED AND DELIVERED AT KAJIADO VIRTUALLY THIS 24TH DAY OF MARCH 2026.

M.D. MWANGI

JUDGE

In the virtual presence of:

Mr. Oyagi for the Defendant

Ms. Kyalo for the Plaintiff

Court Assistant: Mercy

