



**Lodenyo v Jokimu Estate Limited (Civil Miscellaneous Application E008 of 2026) [2026] KEHC 4203 (KLR) (18 March 2026) (Ruling)**

Neutral citation: [2026] KEHC 4203 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
CIVIL MISCELLANEOUS APPLICATION E008 OF 2026  
DO CHEPKWONY, J  
MARCH 18, 2026**

**BETWEEN**

**WYCLIFFE OGOYE LODENYO ..... CLAIMANT**

**AND**

**JOKIMU ESTATE LIMITED ..... RESPONDENT**

**RULING**

1. This matter is coming for mention for parties to confirm compliance of directions issued on 3<sup>rd</sup> February, 2026 on the Notice of Motion application dated 16<sup>th</sup> December, 2025. However, there is no appearance or representation by either party. There is also no response filed.
2. Be it as it may, I have read through the application alongside the Supporting Affidavit sworn by the Claimant on 16<sup>th</sup> December, 2025 and find that the Applicant is seeking orders that:-
  - a. Spent.
  - b. This Honourable Court be pleased to order that Kiambu MCELRC No.E007 of 2025, Wycliffe Ogoye Lodenyo –vs- Jokimu Estate Limited currently pending before the Chief Magistrate’s Employment and Labour Court in Kiambu be transferred for hearing and full determination at the Chief Magistrate’s Court at Ruiru.
  - c. The costs of the application be provided for.
3. The application is based on the grounds on its face and reiterated in the Supporting Affidavit sworn by the Applicant on even date.
4. The gist of it is that the Respondent Company’s physical address falls within the jurisdiction realm of the Ruiru Chief Magistrate’s Court and not the jurisdiction realm of the Kiambu Chief Magistrate’s Court. And therefore, the matter was erroneously filed at Kiambu Law Courts as the Respondent’s Company’s location falls in the jurisdictional boundaries of Ruiru Law Courts.



5. I have perused the pleadings and all the documents filed herein and confirm the above stated reason.
6. In the circumstances, even though there is no appearance by either party, on the basis of the celebrated decision in the case of Owners of the Motor Vessel 'Lilian S' –vs- Galtex Oil (Kenya) Ltd [1989], where it was established that courts must determine jurisdiction at the earliest opportunity. In this case, the Court held that:-

“Jurisdiction is everything. Without it, a court has no power to make one more step.... It has to down its tools”.

7. The Claimant has through its counsel noted the matter had been filed in the wrong court which lacks territorial jurisdiction to hear and determine the same. This, he has done without undue delay.
8. Therefore, this Court invokes its inherent jurisdiction under Sections 1A, 1B and 3B of the Civil Procedure Act and proceeds to allow the Notice of Motion application dated 16<sup>th</sup> December, 2025 in the following terms:-
  - a. That Kiambu MCELRC No.E007 of 2025, Wycliffe Ogoye Lodenyo –vs- Jokimu Estate Limited be and is hereby transferred from the Chief Magistrate’s Employment and Labour Court in Kiambu to the Chief Magistrate’s Employment and Labour Court in Ruiru for hearing and determination.
  - b. Costs to be in the cause.

It is so ordered.

**RUIRU DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 18<sup>TH</sup> DAY OF MARCH, 2026.**

**D. O. CHEPKWONY**

**JUDGE**

In the presence of:

No appearance by and for either party

Court Assistant - Martin

