



**Ngugi v Absa Bank Kenya Ltd (Environment and Land Case
E191 of 2025) [2025] KEMC 348 (KLR) (4 December 2025) (Ruling)**

Neutral citation: [2025] KEMC 348 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
ENVIRONMENT AND LAND CASE E191 OF 2025
PA NDEGE, SPM
DECEMBER 4, 2025**

BETWEEN

DAVID NGOTHO NGUGI PLAINTIFF

AND

ABSA BANK KENYA LTD DEFENDANT

RULING

1. This ruling concerns the Plaintiff's Application for temporary injunction dated 31/08/2025. The defendant opposed the same vide a Replying Affidavit where at paragraph 20, it was deposed that the parcel of land, subject matter of the suit herein, has a forced value of Kshs. 41, 250,000/-; while the arrears subject to the intended sale herein is Kshs. 55, 812, 462/=.
2. The averments by the defendant brings in the issue of pecuniary jurisdiction, and I shall call upon the parties herein to address me, by way of submissions or otherwise, on that issue before I take the next step herein.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 04TH DAY OF DECEMBER, 2025

ALOYCE-PETER-NDEGE

SENIOR PRINCIPAL MAGISTRATE

In the presence of;

Plaintiff's Counsel: Okiro

Defendant's Counsel: N/A

Plaintiff/ Applicant: N/A

Okiro: This is a factual matter. I shall need time to put in affidavits and supplementary submissions. Leave can be granted to both parties. We take a mention date to take further directions on this issue.



Ct. Parties granted leave to put in supplementary affidavits and/or written submissions on the issue. The same be filed on or before (by 9.00am) of 23/01/2026. The plaintiff to serve these directions and the mn notice on the defendants promptly for it to comply.

Okiro: Praying for extension of the interim orders so that we do not lose the substratum of the suit in the meantime.

CT: Interim orders extended.

