



Nabaala v Attorney General & others (Environment and Land Case 64 of 2011) [2026] KEELC 2450 (KLR) (30 April 2026) (Ruling)

Neutral citation: [2026] KEELC 2450 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MALINDI
ENVIRONMENT AND LAND CASE 64 OF 2011**

**FM NJOROGE, J
APRIL 30, 2026**

BETWEEN

WILLIAM OLE NABAALA PLAINTIFF

AND

ATTORNEY GENERAL & OTHERS DEFENDANT

RULING

1. This court has considered the application dated 23rd January 2025 in this matter. There is no doubt that the applicant was to bear the costs of the appeal.
2. The ruling that this court made on 20th March 2024 can not be construed to have absolved the 2nd defendant from meeting any costs of the appeal. It only pointed out that the warrants ought to be properly drawn in order to identify the costs to be executed for with the appeal.
3. The warrants of sale dated 11/7/2023 upon which the order in the ruling dated 20th March 2024 was premised had read Malindi ELC NO 64 of 2011. That was the basis for stating that they were wrongly drafted.
4. The Deputy Registrar gave a ruling on 7th October 2024 regarding the application for execution and the notice to show cause and confirmed that they are in order now since they evidently relate to the costs in the appeal.
5. I have examined the body of the said documents and confirmed that her comments are correct.
6. In the circumstances the application dated 23rd January 2025 lacks merit and the same is hereby dismissed with no orders as to costs.

DATED, SIGNED AND DELIVERED AT MALINDI ON THIS 30TH APRIL 2026.

MWANGI NJOROGE



JUDGE, ELC MALINDI.

