

**REPUBLIC OF KENYA**  
**IN THE ENVIRONMENT AND LAND COURT AT KISUMU**  
**MISC. APPLICATION NO E006 OF 2026**

NAHASHON AKANDA MBEYA ..... APPLICANT

VERSUS

ZAKARIA KUYA OKATA ..... RESPONDENT

**DIRECTIONS**

I have perused the Notice of Motion application dated 19<sup>th</sup> February 2026, the Supporting Affidavit and annexures thereto for purposes of writing the ruling.

It is clear from the annexures that the file sought to be reconstructed was a High Court file namely; **KISUMU HCC NO. 219 OF 1999(B) AMOS MBEYA OLANG'O VS ZAKARIA KUYA OKATA**. The applicant states that it is in the High Court Registry where the file was searched for and found to be missing.

As there is no evidence that the file has ever been transferred to the Environment and Land Court, an order that the file be reconstructed in the ELC registry will be futile.

In the premises, and for the interest of justice particularly noting that the applicant is acting in person, the ruling on the application is deferred and directions hereby given that this file be placed before the Honourable Judge High Court Kisumu for appropriate directions and/or action.

**E. ASATI,**

**JUDGE.**

**14/5/2026.**

**In the presence of:**

Atika - Court Assistant.

Applicant present in person.

No appearance for the Respondent.