



Macharia v Onditi & Ombongi (Suing as the Representatives of the Estate of Kefa Onditi Mose) (Civil Appeal E1218 of 2023) [2026] KEHC 6061 (KLR) (Civ) (7 May 2026) (Ruling)

Neutral citation: [2026] KEHC 6061 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

CIVIL

CIVIL APPEAL E1218 OF 2023

LP KASSAN, J

MAY 7, 2026

BETWEEN

DOUGLAS MWANGI MACHARIA APPELLANT

AND

**VERONICAH NYAKERARIO ONDITI & NICHOLAS ONSARE OMBONGI
(SUING AS THE REPRESENTATIVES OF THE ESTATE OF KEFA ONDITI
MOSE) RESPONDENT**

RULING

1. This is an application to reinstate an appeal for the reason that the proceedings had not been typed. I have perused the file and noted that there are no typed proceedings nor is there a lower Court file. The Judiciary is in charge of typing proceedings and parties have no control over it.
2. The Applicant has stated that it deposited the decretal amount to signify its seriousness in prosecuting this appeal. However, this is denied by the Respondent. There is a letter requesting proceedings and payment of Ksh1,000 to the Court. I shall reinstate this appeal upon reliance on the Applicant's averment that a deposit of Ksh 1,500,000 was made to Court as a security and later released to the Respondent. The Respondent will then have costs. If this is not the case (no deposit of security) then the application for reinstatement shall stand dismissed with costs.

DATED DELIVERED VIRTUALLY AND SIGNED ON THIS 7TH DAY OF MAY 2026.

L. P. KASSAN

JUDGE

