



Mbaka v M’Naichu & 3 others (Environment and Land Miscellaneous Case E003 of 2025) [2025] KEELC 5610 (KLR) (22 July 2025) (Ruling)

Neutral citation: [2025] KEELC 5610 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT CHUKA
ENVIRONMENT AND LAND MISCELLANEOUS CASE E003 OF 2025**

BM EBOSO, J

JULY 22, 2025

BETWEEN

HUMPREY MBABU MBAKA APPLICANT

AND

NDEREBA M’NAICHU 1ST RESPONDENT

THE CHAIRMAN, MARIANI LAND ADJUDICATION COMMITTEE 2ND RESPONDENT

**THE DISTRICT LAND ADJUDICATION AND SETTLEMENT OFFICER,
MERU SOUTH 3RD RESPONDENT**

THE ATTORNEY GENERAL 4TH RESPONDENT

RULING

1. This case was transferred from Embu Environment and Land Court on 18/3/2025 and was registered at Chuka Environment and Land Court Registry in April 2025. A perusal of the court file reveals that the suit was dismissed by Embu Environment and Land Court (Angima J) on 18/12/2019. The record reveals that, at the time the plaintiff procured a transfer order in the Environment and Land Court at Embu, there was no subsisting suit capable of transfer. The suit had been disposed way back in December 2019 through the dismissal order.
2. The record also shows that when the parties appeared before the Judge at Embu Environment and Land Court, they did not disclose to the Court that the suit in respect of which they were procuring a transfer order was not pending.
3. In the above circumstances, this Court is constrained to re-transfer the already finalized/disposed suit to Embu Environment and Land Court. It is so ordered.

DATED, SIGNED AND DELIVERED VIRTUALLY AT CHUKA THIS 22ND DAY OF JULY, 2025.



B M EBOSO [MR]

JUDGE

In the presence of:

Ms. Wanjiku Kamochu for the Applicant

Ms. Kendi for the 2nd 3rd and 4th Respondents

Court Assistant – Mr. Mwangi

