



**Namawa v Saratuki (Civil Application E033 of 2025)
[2025] KECA 1419 (KLR) (30 July 2025) (Ruling)**

Neutral citation: [2025] KECA 1419 (KLR)

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT KISUMU
CIVIL APPLICATION E033 OF 2025
LK KIMARU, JA
JULY 30, 2025**

BETWEEN

JANE NASIMIYU NAMAWA APPLICANT

AND

HASSAN KHAMALA SARATUKI RESPONDENT

(Being an application for leave to appeal out of time and stay of from the judgment of the Environment and Land Court of Kenya at Bungoma (E.C. Cherono, J) dated 7th November, 2024 in ELC No. E001 of 2024)

RULING

1. The applicant herein, Jane Nasimiyu Wamawa, seeks to invoke this Court’s jurisdiction under Rule 5(2)(b) of the *Court of Appeal Rules*. Such jurisdiction is only exercised by a full bench of the Court and not by a single Judge of the Court. In the premises therefore, the Deputy Registrar of the Court is directed to fix the application for hearing before a fully constituted bench of the Court.
2. Orders accordingly.

DATED AND DELIVERED AT KISUMU THIS 30TH DAY OF JULY, 2025.

L. KIMARU

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JUDGE OF APPEAL

I certify that this is a true copy of original.

Signed

DEPUTY REGISTRAR.

