



**Munge v Koech (Environment & Land Case 143 of 2018)  
[2024] KEELC 3556 (KLR) (11 April 2024) (Ruling)**

Neutral citation: [2024] KEELC 3556 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT NAKURU  
ENVIRONMENT & LAND CASE 143 OF 2018**

**A OMBWAYO, J**

**APRIL 11, 2024**

**BETWEEN**

**JOHN NDUNGIRE MUNGE ..... PLAINTIFF**

**AND**

**LEONARD CHEPKWONY KOECH ..... DEFENDANT**

**RULING**

1. John Ndungire Munge, (hereinafter referred to as the applicant) has come to court against Leonard Chepkwony Koech for orders that eviction orders do issue to remove the defendant/respondent from the plaintiffs/ applicant's parcel of land known as Nakuru/Nyota Complex Ext./43. He prays that the eviction be carried out by White Silver Auctioneers assisted by the OCS Molo Police Station. Lastly that the costs of this application be borne by the respondent herein. The application is based on grounds the plaintiff/Applicant is the owner of the parcel of land known as Nakuru/Nyota Complex Ext. /43. That this honorable court via its judgement delivered on the 18<sup>th</sup> of March, 2021 ordered the defendant/ respondent herein to vacate land parcel Nakuru/Nyota Complex Ext./43 within 30 days of being served with the judgement and/or decree and in default that he be forcibly evicted. The decree was served on the defendant/ respondent on the 28<sup>th</sup> of June, 2023. More than 30 days have since lapsed from the date of service of the decree on the defendant but he has neglected and/or refused to vacate the land. The application is supported by the affidavit of John Ndungire Munge who states that the respondent has been notified to vacate the land but has declined to vacate.
2. I have considered the application and do find it to be merited as the judgment on record has not been set aside. There is no appeal pending against the judgment. The decree has been extracted and served. The respondent has not replied to the application on record.
3. I do grant eviction orders to remove the defendant/respondent from the plaintiffs/ applicant's parcel of land known as Nakuru/Nyota Complex Ext./43. The eviction be carried out by White Silver



Auctioneers assisted by the OCS Molo Police Station. The costs of this application be borne by the respondent herein. Orders accordingly.

**RULING DATED SIGNED AND DELIVERED VIRTUALLY AT NAKURU THIS 11<sup>TH</sup> DAY OF APRIL 2024.**

**A. O. OMBWAYO**

**JUDGE**

