



**Manyim v Tarus (Sued in her personal capacity and as the administrator of the Estate of Kiptarus Chemwor) (Land Case E008 of 2024) [2025] KEELC 644 (KLR) (20 February 2025) (Ruling)**

Neutral citation: [2025] KEELC 644 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT KAPSABET  
LAND CASE E008 OF 2024  
GMA ONGONDO, J  
FEBRUARY 20, 2025**

**BETWEEN**

**GEOFFREY KIPKEMEI MANYIM ..... PLAINTIFF**

**AND**

**MAHMOUD CHEMOR A TARUS (SUED IN HER PERSONAL CAPACITY  
AND AS THE ADMINISTRATOR OF THE ESTATE OF KIPTARUS  
CHEMWOR) ..... RESPONDENT**

**RULING**

1. By a notice of motion application dated 4<sup>th</sup> February 2025, the plaintiff/applicant through Rotich, Langat and Partners Advocates, has sought the following orders;
  - a. That the Honourable Court be pleased to grant the Applicant/Plaintiff leave to serve the Defendant through substituted service by advertising the Summons in one of the local circulating dailies.
  - b. That the costs of this application be in this cause.
2. Mr Moses Rotich learned counsel for the applicant has implored the court to allow the application.
3. It is trite law that a party must be made aware of the existence of a case to enable that party to respond to it or not; see *Ogada-vs-Mollin* (2009) eKLR.
4. In the instant case, the respondent deserves to be served for a response, if any.
5. In the premises, the application has merit. The same is hereby allowed accordingly.
6. It is so ordered.

**DATED AND DELIVERED AT KAPSABET THIS 20TH FEBRUARY 2025**



**GEORGE M A ONGONDO**

**JUDGE**

Present

Rotich for the Plaintiff.

