



**Shepherd Catering Limited v Nairobi Holdings Limited & 2 others; Steel Son Limited (Plaintiff to the Counterclaim); Shepherd Catering Limited & 2 others (Defendant to the Counterclaim) (Environment & Land Case 359 of 2004) [2024] KEELC 13360 (KLR) (14 November 2024) (Ruling)**

Neutral citation: [2024] KEELC 13360 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI  
ENVIRONMENT & LAND CASE 359 OF 2004**

**LN MBUGUA, J  
NOVEMBER 14, 2024**

**BETWEEN**

**SHEPHERD CATERING LIMITED ..... PLAINTIFF**

**AND**

**NAIROBI HOLDINGS LIMITED ..... 1<sup>ST</sup> DEFENDANT**

**CHIEF LAND REGISTRAR OF TITLES ..... 2<sup>ND</sup> DEFENDANT**

**STEEL SON LIMITED ..... 3<sup>RD</sup> DEFENDANT**

**AND**

**STEEL SON LIMITED ..... PLAINTIFF TO THE COUNTERCLAIM**

**AND**

**SHEPHERD CATERING LIMITED .. DEFENDANT TO THE COUNTERCLAIM**

**NAIROBI HOLDINGS LIMITED ..... DEFENDANT TO THE COUNTERCLAIM**

**CHIEF LAND REGISTRAR OF TITLES .... DEFENDANT TO THE COUNTERCLAIM**

**RULING**

1. Before me is the Plaintiff’s Notice of Motion Application dated 3.10.2024. Seeking leave to enlarge time for the applicants to lodge an appeal out of time against this courts ruling delivered on 24.3.2024. The application is premised on the grounds on the face of the application and the supporting affidavit of the applicant, Salome Wangechi.



2. The applicant contends that the court delivered the ruling of 12.3.2024 which she had no notice of. She avers that the delay in filing the notice of appeal was not inordinate, adding that she has an arguable appeal.
3. No responses were filed in respect of the current application.
4. I find that it is not the place of this court to consider whether the intended appeal is arguable or not. It suffices to give the applicant an opportunity to ventilate her grievances in regard to the ruling given on 12.3.2024. After all, no stay has been sought and the matter already has a hearing date of 5.3.2025. In the circumstances, the application dated 3.10.2024 is allowed with no orders as to costs.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 14<sup>th</sup> DAY OF NOVEMBER 2024 THROUGH MICROSOFT TEAMS.**

**LUCY N. MBUGUA**

**JUDGE**

In the presence of:

Mbaabu C.N Kihara for 3<sup>rd</sup> Defendant

Court Assistant: Vena

