



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Oduol v Adinda & another (Land Case Appeal E002 of 2023)  
[2024] KEELC 7571 (KLR) (7 November 2024) (Decree)**

Neutral citation: [2024] KEELC 7571 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT SIAYA  
LAND CASE APPEAL E002 OF 2023  
AY KOROSS, J  
NOVEMBER 7, 2024**

**BETWEEN**

**JOSEPH OKOTH ODUOL ..... APPELLANT**

**AND**

**HESBORN ODUOL ADINDA ..... 1<sup>ST</sup> RESPONDENT**

**JARED JUMA ADINDA ..... 2<sup>ND</sup> RESPONDENT**

**DECREE**

1. Claim for:
  - a. That the Judgment of the Judgment Magistrate delivered by Hon. Simiyu on the 16<sup>th</sup> June 2021 be set aside.
  - b. That an order of the disputed land be restored to the appellant forthwith
  - c. Costs to the appellant.
2. Upon Judgment on 14.11.2024 before Hon. Lady Justice A.Y. Koross and upon delivering the Judgment of the Court.

It is hereby ordered:

  - a. That this appeal is partly merited.
  - b. That the judgment of the learned trial magistrate delivered on 16/6/2021 is hereby upheld.
  - c. That the court had jurisdiction to entertain the suit.
  - d. That the Judgment that dismissed the appellant's case is upheld.
  - e. That each party shall bear their respective costs in respect of the appeal.



**DATED AT SIAYA THIS 7<sup>TH</sup> DAY OF NOVEMBER 2024**

**JUSTICE A.Y. KOROSS**

**ENVIRONMENT AND LAND COURT AT SIAYA**

**JUDGE**

**ISSUED UNDER MY HAND AND THE SEAL OF THIS COURT THIS 7<sup>TH</sup> DAY OF NOVEMBER  
2024**

**DEPUTY REGISTRAR**

**ENVIRONMENT AND LAND COURT AT SIAYA**

