



**Abdi v Director, National Transport and Safety Authority (Miscellaneous Civil Application E246 of 2024) [2025] KEHC 1308 (KLR) (30 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 1308 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
MISCELLANEOUS CIVIL APPLICATION E246 OF 2024  
DO CHEPKWONY, J  
JANUARY 30, 2025**

**BETWEEN**

**DHAHABU ADAN ABDI ..... APPLICANT**

**AND**

**DIRECTOR, NATIONAL TRANSPORT AND SAFETY  
AUTHORITY ..... RESPONDENT**

**RULING**

1. The Applicant moved the court through Chamber Summons Application dated 20<sup>th</sup> December, 2024 filed under Certificate of Urgency seeking the following orders:
  - a. Spent.
  - b. This court be pleased to issue a vesting order to compel the Director of National Transport And Safety Authority (NTSA) to transfer Motor Vehicle Registration Number KBH xxxL Subaru Forester to the Applicant and to issue the Applicant with a duplicate logbook of the Motor Vehicle in her name.
  - c. That costs of this application be provided for.
2. The Application is based on the grounds as set out on the face of it and the Supporting Affidavit of the Applicant Dhahabu Adan Abdi sworn on the instant date. According to the Applicant, she purchased the subject Motor Vehicle Registration No. KBH xxxL, Subaru Forester, which belonged to one Evan Kimani Kamande through public auction on 3<sup>rd</sup> August, 2024, organised by Moran Auctioneers who had attached it pursuant to instructions of Sameg Management Limited for distress for rent. The Applicant contends that she was the highest bidder and she paid the entire amount of Kshs. 315,000/=, being the price of the said Motor Vehicle.



3. The Applicant holds that she has availed all the requisite documents required by the Respondent to facilitate transfer to herself following a successful distress for rent auction except a vesting order which she now seeks. The Applicant contends that she is heavily expectant and urgently requires the motor vehicle to be transferred and registered in her name to aid her mobility and for use to hospital for delivery of her child. She thus urges the court to allow the application.
4. The matter came up for interpartes hearing as directed by the court and the Respondent and or its counsel had neither filed a response or attended court despite having been served with the application and hearing notice as per court direction. A return of service to confirm this, was sworn on 17<sup>th</sup> January, 2025 and filed.
5. The Applicant then urged the court to find the application unopposed and grant the orders sought therein.
6. In the circumstances, the Chamber Summons application dated 20<sup>th</sup> December, 2024, be and is hereby allowed in the following terms as presented:
  - a. A vesting order be and is hereby issued to compel the Director of National Transport And Safety Authority (NTSA) to transfer Motor Vehicle Registration Number KBH xxxL Subaru Forester to the Applicant.
  - b. The Director of National Transport And Safety Authority (NTSA) be and is hereby ordered to issue a duplicate logbook of the Motor Vehicle in the Applicant's name.
  - c. Costs to be in the cause.

It is so ordered.

**RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 30<sup>TH</sup> DAY OF JANUARY, 2025.**

**D.O CHEPKWONY**

**JUDGE**

In the presence of:

Ms. Radol Counsel for Applicant

Martin – Court Assistant

