



REPUBLIC OF KENYA



**KENYA LAW**  
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**Kirui v Cherotich (Family Appeal E018 of 2024)  
[2025] KEHC 5394 (KLR) (29 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 5394 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
FAMILY APPEAL E018 OF 2024  
SM MOHOCHI, J  
APRIL 29, 2025**

**BETWEEN**

**DOMINIC KIPCHUMBA KIRUI ..... APPELLANT**

**AND**

**MARCELLAR CHEROTICH ..... RESPONDENT**

**RULING**

1. I have considered the Return of Service dated 13<sup>th</sup> December, 2024 noting that the Respondent was duly served and failed to enter appearance or defend the motion.
2. This Court accordingly allows the motion dated 28<sup>th</sup> November, 2024 on the following terms:
  - i. An order of stay against execution of judgment decree is hereby issued pending hearing and determination of the appeal.
  - ii. The costs of the suit shall be in the cause.
  - iii. The Appellant shall take steps to place the Appeal for admission and directions for hearing within 60 days from today.
  - iv. Mention for compliance shall be on 24<sup>th</sup> July, 2025.

**RULING READ, SIGNED AND DELIVERED AT NAKURU THIS 29<sup>TH</sup> DAY OF APRIL, 2025**

**MOHOCHI. S. M.**

**JUDGE**

