



**Kerongo & 2 others v Kabiru & 4 others (Tribunal Case E002 of 2023)  
[2023] KETLABT 179 (KLR) (Civ) (28 March 2023) (Order)**

Neutral citation: [2023] KETLABT 179 (KLR)

**REPUBLIC OF KENYA  
IN THE TRANSPORT LICENSING APPEALS BOARD TRIBUNAL  
CIVIL**

**TRIBUNAL CASE E002 OF 2023**

**JOSEPH MCDONALD, AG. CHAIR, WAITHIRA MUIRURI,  
JAMES NGOMELI & MARYAN HAJIR, MEMBERS**

**MARCH 28, 2023**

**BETWEEN**

**ELUID KERONGO ..... 1<sup>ST</sup> APPELLANT  
FESTUS KAIRU ..... 2<sup>ND</sup> APPELLANT  
ISSAC NGATIA ..... 3<sup>RD</sup> APPELLANT**

**AND**

**JOSEPH MATHENGE KABIRU ..... 1<sup>ST</sup> RESPONDENT  
EDWARD OGEKA NYAACHI ..... 2<sup>ND</sup> RESPONDENT  
JAMES OCHWOGA OMERU ..... 3<sup>RD</sup> RESPONDENT  
JESSE MAINA MACHARIA ..... 4<sup>TH</sup> RESPONDENT  
NATIONAL TRANSPORT SAFETY AUTHORITY ..... 5<sup>TH</sup> RESPONDENT**

**ORDER**

Having considered the facts and the law applicable to this case, the Transport Licensing Appeals Board hereby makes the following orders:

1. That NTSA should reinstate the removed vehicles with immediate effect.
2. That St Mary's vehicles currently impounded should be released with immediate effect.
3. TLAB does not have jurisdiction to award compensation/damages.
4. That NTSA should give the appellants 30 days to comply with the Sacco's policies.



5. Each party should bear their own cost.

**Delivered, dated, and signed in Nairobi by the Transport Licensing Appeals Board on this 28 day of March, 2023.**

Joseph McDonald Ag.Chairman .....

Maryan Hajir Member .....

Waithira Muiruri Member .....

James Ngomeli Member .....

