



**Ghanima Limited v Wamuti & 2 others (Civil Appeal 515 of 2018)
[2024] KEHC 9317 (KLR) (Civ) (25 July 2024) (Judgment)**

Neutral citation: [2024] KEHC 9317 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

CIVIL

CIVIL APPEAL 515 OF 2018

JK NG'ARNG'AR, J

JULY 25, 2024

BETWEEN

GHANIMA LIMITED APPELLANT

AND

MARTIN KARANJA WAMUTI 1ST RESPONDENT

JACKLINE WANJIKU WANJAU 2ND RESPONDENT

NEO WESTEND LIMITED 3RD RESPONDENT

*(An appeal from the ruling and order of the Chief Magistrate's Court at Nairobi
(D.A. Ocharo, SRM.) delivered on 26th September 2018 in CMCC No. 4443 of 2018)*

JUDGMENT

1. It is to be noted that judgment is arising from the dismissal of the appellant's application seeking to refer the dispute to arbitration. However, the record of appeal is incomplete as the ruling and proceedings are incomplete. I am thus unable to write a judgment. It has been six years. Are the parties willing to negotiate the matter? Are the parties still interested in the matter? The suit was previously dismissed for want of prosecution. In the light of the obtaining position the appeal herein is dismissed with no orders as to costs.

DATED AND DELIVERED VIRTUALLY AT NAIROBI THIS 25TH DAY OF JULY, 2024.

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J.K. NG'ARNG'AR, HSC

JUDGE

In the presence of:-



Kinyanjui for the Appellant
No appearance for the Respondent
Court Assistant- Peter Ong'idi

