



Thiong'o & another v Kairu; Nyamu (Interested Party) (Civil Miscellaneous Application E016 of 2024) [2024] KEHC 12037 (KLR) (26 September 2024) (Ruling)

Neutral citation: [2024] KEHC 12037 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYERI
CIVIL MISCELLANEOUS APPLICATION E016 OF 2024
DKN MAGARE, J
SEPTEMBER 26, 2024**

BETWEEN

JOHN MAINA THIONG'O 1ST APPLICANT

HARRISON KIHARA T/A HARIKI AUCTIONEERS 2ND APPLICANT

AND

ZAKAYO KAIRU RESPONDENT

AND

GABRIEL NYAMU INTERESTED PARTY

RULING

1. This is an application for extension of time within which to appeal from the Ruling of 30/5/2023. The ruling was delivered in the presence of counsel for the parties. The same was on the advocate for parties.
2. The 2nd Applicant was served immediately. There was no appeal made for a whole 10 months. There is no explanation for the delay. The reasons given are otiose.
3. Consequently the application dated 23/2/2024 is dismissed.
4. There was no response. Each party shall bear their own costs.

Determination

5. The court makes the following orders:-
 - a. The Application dated 22/2/2024 lacks merit and is accordingly dismissed.
 - b. Each party to bear its own costs.
 - c. The file is closed.



**DELIVERED, DATED AND SIGNED AT NYERI ON THIS 26TH DAY OF SEPTEMBER, 2024.
RULING DELIVERED THROUGH MICROSOFT TEAMS ONLINE PLATFORM.**

KIZITO MAGARE

JUDGE

In the presence of:-

No appearance for parties

Court Assistant – Jedidah

