



**Nyambok v Shikuku (Miscellaneous Case 321 of 2024)
[2024] KEHC 13352 (KLR) (31 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13352 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CASE 321 OF 2024
MS SHARIFF, J
OCTOBER 31, 2024**

BETWEEN

GABRIEL OKUKU NYAMBOK PLAINTIFF

AND

GODFREY OUMA SHIKUKU DEFENDANT

RULING

1. Whereas on 17.9.2024 this court had granted the applicant orders of stay of execution pending appeal on condition that the sum of Kshs.427,321.01 be deposited in an interest earning joint account of parties advocates within 30 days, there has been no compliance wherefore the Applicant seeks leave for its timeline for compliance thereto to be extended.
2. It has been submitted by Ms. Musando for the Applicant that the default was occasioned by the wrangles in the management of Ms. Directline Assurance Co. Ltd and that presently directions for appointment of new signatories to the said company's account were made by Justice Mabeya in Milimani HCCC No. 328/2024: *Directline Assurance Co. Ltd v Samuel Kamau Macharia & 9 Others*, wherefore the said instructing client will soon be in a position to meet its financial obligations.
3. Ms. Tilolo has conceded to this application and I thus allow it and the applicant's timeline for depositing the sum of Kshs.427,321.01 in a joint interest earning account of parties is hereby extended for a period of 30 days from the date hereof.
4. The default clause still applies.
5. This file is marked as closed.

DELIVERED, SIGNED AND DATED AT KISUMU THIS 31ST DAY OF OCTOBER, 2024.

M. S. SHARIFF

JUDGE

