



REPUBLIC OF KENYA



KENYA LAW
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**National Bank of Kenya Limited v Serem (Civil Suit 53 of 1996)
[2023] KEHC 3739 (KLR) (27 April 2023) (Ruling)**

Neutral citation: [2023] KEHC 3739 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CIVIL SUIT 53 OF 1996
HK CHEMITEI, J
APRIL 27, 2023**

BETWEEN

NATIONAL BANK OF KENYA LIMITED APPLICANT

AND

RICHARD KIPLANGAT SEREM RESPONDENT

RULING

1. This court on July 28, 2022 delivered its ruling in which it found that there was no evidence that land title number Kericho/Koiye/142 had no prohibitory order by the applicant.
2. The applicant's application herein dated September 20, 2022 has sought to review the said ruling arguing that the same was done in error as the applicant lawfully placed a prohibitory order on the register in respect to the above parcel of land. The application is grounded on the sworn affidavit of Chripus N Maithya dated the same date.
3. The application is not opposed despite being served upon the respondent. The application has the supporting annexures among others evidence that the charge was placed on the register on June 3, 2011 and the other subsequent attachments are execution processes by the applicant.
4. Clearly the annexures therein were not within the knowledge of the court by the time it made its ruling. The respondent on the other hand has not objected to the same.
5. In the premises it is prudent under the provisions of Order 45 rules (1), and 2 of the [Civil Procedure rules](#) to review the said ruling.
6. The application is allowed to the extent that the prohibition placed against the register had been sanctioned by the court. The annexures to the supporting affidavit above shall form part of the record.
7. Costs shall be in the cause.



**DATED SIGNED AND DELIVERED AT NAKURU VIA VIDEO LINK THIS 27TH DAY OF APRIL
2023.**

H. K. CHEMITEL.

JUDGE

