

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

MILIMANI COMMERCIAL AND TAX DIVISION

CIVIL SUIT NO. 472 OF 2017

ROYAL APARTMENTS LIMITED.....PLAINTIFF

VERSUS

VRAJBHUSHAN D. SHAH.....1ST DEFENDANT

SAPNA V. SHAH.....2ND DEFENDANT

R U L I N G

1. This suit was commenced vide a plaint dated 20/11/2017 whereby the plaintiff claimed a sum of Kshs.87,606,219/87 plus interest. The said claim was in respect of the purchase by the defendants of 3 apartments owned by the plaintiff.

2. Subsequently, the parties were referred to mediation. However, they failed to appear before the Mediator as required. This resulted in the Court issuing the parties with a Notice To Show Cause why they failed to appear for Mediation.

3. The 1st defendant filed a lengthy affidavit wherein he satisfactorily showed cause for the failure. However, the 2nd defendant and the plaintiff did not show any cause. This Court has noted the same.

4. In this regard, I direct that the parties undertake pre-trials within 14 days and the matter be listed for trial on a priority basis.

DATED and DELIVERED at Nairobi this 25th day of February, 2021.

A. MABEYA, FCI Arb

JUDGE