



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT KISUMU**

**HIGH COURT CIVIL CASE NO. 197 OF 1992**

**GEORGE A. ODHIAMBO..... PLAINTIFF**

**VERSUS**

**CHARLES INDIRI (DECEASED) ...DEFENDANT**

**22<sup>nd</sup> April 2020**

Coram: Ochieng – J.

Court Assistant: Maureen Ojala

**RULING**

**Exparte**

1. Having given due consideration to the Notice of Motion dated 21<sup>st</sup> April 2020, I decline to certify as Urgent, as the Applicant has not disclosed particulars of the dates when the matters complained about took place.
2. It is ordered that the Application be set down for Mention, for Further Directions on 29<sup>th</sup> April 2020.
3. Meanwhile, the Applicant is directed to serve the application on the Respondent.
4. Once served, the Respondent is ordered to provide his email address, at which all further pleadings, together with Orders will be served, going forward.
5. The Applicant is also ordered to provide both the Court and the Respondent with an email address, at which he will be served, going forward.
6. In the light of the current Corona-Virus Pandemic, which is ravaging the entire Globe, this court notes that even on 29<sup>th</sup> April 2020, it is unlikely that the Mention will be done in the Court House, as the same is not accessible to litigants.
7. Accordingly, I further order the parties to provide, in writing, their suggestions on the proposed Directions, on how the application can be dealt with expeditiously, whilst observing all the guidelines which the Ministry of Health has issued, for the purposes of addressing the corona-virus pandemic.
8. The Respondent will have 4 (four) days, from the date of service, to file and serve his response to the application.

**DATED, SIGNED and DELIVERED at KISUMU This 22<sup>nd</sup> day of April 2020**

**FRED A. OCHIENG**

**JUDGE**