



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISUMU

(CORAM: CHERERE-J)

MISC. CIVIL SUIT NO. 57 OF 2019

BETWEEN

TOBIAS OCHIENG ONGÓNGÁ.....APPLICANT

AND

KENNEDY OTIENO MUCHA.....RESPONDENT

RULING

1. By a notice of motion dated 29th May, 2019 brought under Order 21 Rule 7, Order 51 Rules 3 and 15 of the Civil Procedure Rules and Sections 3(A) and 63 (e) of the Civil Procedure Act, the applicant prays for orders **THAT**: -

1)

b) The applicant is condemned to pay Kshs. 5,000/- to the Respondent as throw away costs within 14 days from today's date.

DATED AND DELIVERED IN KISUMU THIS 31st DAY OF July, 2019

T.W. CHERERE

JUDGE

Delivered in open court in the presence of-

Court Assistant - Felix & OKodoi

For the Applicant - N/A

For the Respondent - N/A