

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

IN THE MATTER OF THE INSOLVENCY ACT

INSOLVENCY CAUSE NO. 6 OF 2017

RE: ILLFAN HUSSEIN YUNUS (DEBTOR)

R U L I N G

1. I have read the debtors petition expressed to seek a bankruptcy order as well as the particulars provided therewith.
2. I have appreciated that the debtor has been a businessman since 2008 trading as MANTRACK 200 ENTERPRISES and that his financial difficulties were occasioned by clients defaulting and lack of business. However the statement of affairs did not provide detailed critical and mandatory information among them the details of spouse, details of any debts owed to the debtor, any stock in trade or even household goods or cash at hand.
3. To the court the statement of affairs is either deficient, in material particulars or just evasive. Either way it cannot attract a bankruptcy order before the details are availed. Accordingly and in accordance with section 32(2) and 33, I decline to deal with the application and direct that the debtor files a fresh and detailed statement of affairs, not merely reproducing the statutory forms but giving the true and accurate details of his financial affairs. He shall do so within 10 days from today.
4. This matter shall be mentioned on 26.2.2018 for further directions.

Dated and delivered at Mombasa this 9th day of February 2018.

P.J.O. OTIENO

JUDGE

7.2.2018