

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL DIVISION

MISC. APP. NO. 196 OF 2018 & 64 of 2017.

MICHAEL MUNGAI.....APPELLANT

VERSUS

HOUSING FINANCE CO (K) LTD.....1ST RESPONDENT

KENYA BUILDING SO./CEO HF GROUP....2ND RESPONDENT

DAVID WANDERI.....3RD RESPONDENT

CHRISTOPHER AVISA & 2 OTHERS.....4TH RESPONDENT

RULING

Clearly the Applicant seeks leave to file a private criminal prosecution against the Respondents. That application must be filed in a magistrate's court. The Applicant has accordingly agreed with this court's advice to go to the magistrates' court to file the application. Accordingly, this application is marked as withdrawn with no orders as to costs.

Owing to the bulkiness of the exhibits annexed to the application, I grant the Applicant the right to have them released to him under the supervision of the Deputy Registrar of this court. The main pleadings must however remain on record.

DATED and DELIVERED this 30th day of **May, 2018.**

G.W. NGENYE-MACHARIA

JUDGE