

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

COMMERCIAL AND TAX DIVISION

MISCELLANEOUS CIVIL APPL. NO. 121 OF 2018

IN THE MATTER OF COMPANIES ACT, 2015

AND

IN THE MATTER OF AN APPLICATION BY GULF ENERGY LIMITED

RULING

1. By *Notice of Motion* dated *20th April 2018*, the applicant, *Gulf Energy Limited*, seeks orders pursuant to **Section 888** of the **Company's Act 2015 (The Act)**. The applicant seeks for time, for registration in the manner prescribed in **Section 885(1) of the Act** of the stated charges, to be extended for a period of *120 days* from the date of the Order of this Court.
2. By an *affidavit* of *Duncan Kingori Mukira*, director of Gulf Energy Limited, in support of the application it is deponed that the applicant charged various pieces of land to *Equity Bank (K) Ltd* as security for credit facility.
3. That the conduct of preparing and registering charges was given to the law firm of *Hamilton Harrison & Mathews*. The deponent set out in his affidavit the reason why those charges have not been registered.
4. Having considered the application, I am satisfied that the failure to register was due to inadvertence and is not of a nature to prejudice the position of the creditors or members of the company.
5. Accordingly, I hereby *grant 120 days* from the date of this order for registration as required under **Section 885 (1) of the Company's Act 2015**. There shall be *no orders as to costs* of the *Notice of Motion* dated *20th April 2018*.

DATED, SIGNED and DELIVERED at **NAIROBI** this **22nd** day of **May** 2018.

MARY N. KASANGO

JUDGE

Ruling read in open court in the presence of

.....for the Applicant