

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

MILIMANI HIGH COURT

MISC. CAUSE NO. 298 OF 2015

KTK ADVOCATES.....ADVOCATE/APPLICANT

VERSUS

NYAMBENE COFFEE ESTATES LTD.....1ST CLIENT/RESPONDENT

NYAMBENE MILLS LTD.....2ND CLIENT/RESPONDENT

LAWRENCE C.NJERU.....3RDCLIENT/RESPONDENT

RULING

1. Counsel Kipkorir appeared before me on 8th June, 2017 in the absence of Counsel for the Clients. I allowed the matter to proceed as the hearing date had been taken by consent on 26th April, 2017.
2. It now turns out however that Counsel Kipkorir prosecuted the Application dated 20th July, 2016 which had been dismissed for want of prosecution on 30th November, 2016. Although there is an application dated 23rd January 2017 to set aside the dismissal Order and to reinstate the dismissed Application, the latter Motion has not been prosecuted.
3. I am afraid the Notice of Motion dated 23rd January 2017 needs to be heard first.

Dated, Signed and Delivered in Court at Nairobi this 22ND day of September,2017.

F. TUIYOTT

JUDGE

PRESENT;

Omollo for Applicant

Malowa for Respondent

Alex - Court Clerk