

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI
CIVIL CASE NO. 45 OF 2011

**ARTHUR MWARA KARIUKI(suing as the administrator of the estate of ANN NJAMBI
KARIUKI(Deceased).....PLAINTIFF**

VERSUS

PETER MACHARIA KAMAU1ST DEFENDANT

RAY LIGHT TRADERS AND SUPPLIERS2ND DEFENDANT

AND

SUMRY BUS SERVICETHIRD PARTY

RULING

The application dated 10th February 2016 seeks for leave to serve the 3rd party Sumry Bus Service by way of substituted service by way of an advertisement in the media as the defendant is unable to serve the 3rd party offices in Nairobi whose agents have refused to accept service.

The application is not opposed. I have considered the application and submissions by Mr Odongo counsel for the defendants. I find the application merited. In the circumstances, I grant the prayers for leave to serve the 3rd party Sumry Bus Service copies of the plaint, defence and 3rd party notice by way of substituted service by way of an advertisement in at least one of the local dailies of national circulation. I also direct that copies of the plaint, defence and 3rd party, defence and 3rd party notice be affixed to the 3rd party's agency offices located in Nairobi City.

The above notices to give the 3rd party Sumry Bus Service 30 days from date of notification to enter appearance to the suit herein.

Costs in the cause.

Orders accordingly.

R.E. ABURILI

JUDGE

25/4/2016