



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

ELC NO. 114 OF 2012

FROLENCE KANORIO.....PLAINTIFF

VERSUS

JAPHET KARUKI.....DEFENDANT

RULING

1. This application is dated 17/05/2016 and seeks orders.
1. ***That this Honourable Court be pleased to grant leave to the defendant to amend his defence.***
2. ***That the amended draft defence be deemed as filed on payment of the requisite Court fees.***
3. ***That the costs of this application be provided for.***
2. The application is supported by the Affidavit of JAPHET KIRUKI, the Applicant, and has the following grounds:-
 - a. ***That the amendment sought is intended to bring out the issues in controversy between the parties.***
 - b. ***That the defence as filed has not disclosed and answer properly the matters raised in the Plaintiff's pleadings and the defendant desires to plead what he intends to rely on during the hearing.***
 - c. ***That the intended amendment will not prejudice the Plaintiffs as the Plaintiff will be at liberty to amend her pleadings should the Court allow this application.***

When the application was heard interpartes, it transpired that it was not opposed. The Defendant is allowed to amend, file and exchange his amended Plaintiff within 21 days of today and the Plaintiff is allowed to file her amended defence within 21 days after service by the defendant of his amended defence.

3. Upon closure of the apposite amendments, parties to obtain a mutually convenient date for directions from the Registry.

It is so ordered.

DELIVERED IN OPEN COURT AT MERU THIS 18TH DAY OF MAY, 2016 IN THE PRESENCE OF:-

CC: Daniel/Lilian

Mutuga h/b Ndubi for the Plaintiff

Mrs. Ntaragwi present for the Defendant

P. M . NJOROGÉ

JUDGE