

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT BUSIA

CIVIL MISCELLANEOUS APPLICATION NO. 102 OF 2015

**IN THE MATTER OF FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) ACT, CAP
43**

**IN THE MATTER OF THE CHIEF MAGISTRATE'S COURT OF JINJA AT JINJA IN
UGANDA CIVIL SUIT NO. 383 OF 2009**

BETWEEN

BABALANDA WILSON.....APPLICANT

VERSUS

H. YOUNG & CO. EAST AFRICA LIMITED.....RESPONDENT

RULING

1. In the course of preparing my decision in respect to the application of Babalanda Wilson dated 2nd June, 2015, I have formed the opinion that the Foreign Judgments (Reciprocal Enforcement) Act, Cap 43 has not been fully complied with. I have in mind the requirement of Section 7 of the said Act.
2. In order to ensure that the procedure provided by the Act has been strictly adhered to and in accordance with the power granted to this Court by Section 5(3) of the Act, I direct the Applicant to serve the summons upon the Respondent, H. Young & Company East Africa Limited for *inter partes* hearing.
3. The Applicant will take a hearing in the registry.

Dated, signed and delivered at Busia this 13th day of October 2016.

W. KORIR,

JUDGE OF THE HIGH COURT