



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
MILIMANI COMMERCIAL & ADMIRALTY DIVISION
HIGH COURT CIVIL CASE NO. 36 OF 2015

**TULA GENERAL CONTRACTORS
& SUPPLIERS LIMITED ::::::::::::::::::::::::::::::::::::::: PLAINTIFF**

VERSUS

**THE REGISTERED TRUSTEES OF REGINA
PACIS UNIVERSITY COLLEGE (RPUC) ::::::::::::::::::::::::::::::: DEFENDANT**

BERNARD MUITA NGUGI ::::::::::::::::::::::::::::::: INTENDED THIRD PARTY

R U L I N G

1. I have considered the application by way of *ex-parte* **chamber summons** dated **7th April 2015** and filed in court on 9th April 2015 by the Defendant. The application seeks as the main order the leave of this court to the Defendant to serve Third Party Notice against one Professor Bernard Muita Ngugi, the Intended Third Party.
2. The application is based on the grounds stated therein and is supported by affidavit of **Wanja Gichura Wambugu** sworn on **7th April 2015**.
3. The application is filed under Order 1 Rule 15 (1) and (2) which allows the same to be done *ex-parte*. The application is also premised on sound grounds.
4. The application is granted with costs in the cause.

Orders accordingly.

READ, DELIVERED AND DATED AT NAIROBI THIS 22ND DAY OF MAY 2015

E. K. O. OGOLA

JUDGE

PRESENT:

No appearance for the Plaintiff

Mr. Ogunde holding brief for M/s Wambugu for the Defendant

No appearance for the Intended Third Party

Teresia – Court Clerk