

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAKURU

CIVIL CASE NUMBER 561 OF 1994

NATIONAL BANK OF KENYA.....PLAINTIFF/APPLICANT

VERSUS

CATHERINE NJAMBI THANGISHU1ST DEFENDANT/RESPONDENT

JOHN THANGISHU GAKUNA.....2ND DEFENDANT/RESPONDENT

RULING

The applicant's application dated 21st October 2013 was ordered to be served upon the Respondents advocates on the 6th June 2014.

A fresh date for the hearing of the application was taken for the 30th June 2015.

On the 30th June 2015, the application was not causelisted in the day's causelist. The firm of Karanja Mbugua and Company Advocates representing the Respondents had been served with a hearing notice on the 21st May 2015 and an affidavit of service filed.

On the said hearing date, the applicant fetched the file from the court registry and brought to court in the absence of the Respondents advocates.

Mr. Kiburi addressed the court and sought directions on the matter and hearing of the application. He also informed the court that the Auctioneer trading in the name of Gulf Auctioneers cannot be traced. In the circumstances, the court directs that the applicant's application dated 21st October 2013 be served afresh to the Defendant/Respondents advocates for interpartes hearing on the

Dated, signed and delivered in the open court this 16th day of December 2015.

JANET MULWA

JUDGE