



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**  
**CIVIL APPEAL NO. 60 OF 2008**

M'EBAI GATULUKUME.....APPELLANT

VERSUS

JOSEPH MAINGI M'IMATHIU.....RESPONDENT

**R U L I N G**

The application herein is dated 30th July, 2013. It seeks orders:

1. That the Court be pleased to substitute the defendant **JOSEPH MAINGI** in the above matter.
2. That the legal representative **DAVID MWENDA MAINGI** do take over as the Respondent in the above matter.

It is based on the grounds:

1. That the legal representative was appointed on 1.06.2013 for the purpose of pursuing Meru High Court Civil Case **No. 150 of 2011** and Meru **Civil Appeal No. 60 of 2008**.
2. That the substitution shall not prejudice the defendant case whatsoever.

This application is not opposed. The Court notes that it is merely facilitative. In the circumstances the application is allowed with orders to be in the cause.

**Delivered in Open Court this 27th day of February, 2014 in the presence of**

Cc. Daniel

C. K. Kariuki for Applicant

**P. M. NJOROGE**

**JUDGE**