

INTHE HIGH COURT OF KENYA AT MERU

CIVIL SUIT NO. 64 OF 2004

GEOFFREY K IMATHIU & OTHERS.....PLAINTIFF

VERSUS

MERU COUNTY COUNCIL & ANO.....DEFENDANT

RULING

This application is dated 4.2.2014 and seeks orders:

1. That the applicant be granted leave to further amend his plaint dated 23.11.2005 to substitute Meru County Council, 2nd defendant herein, and include Meru County Government and the County Governor.
2. That cost be in the cause.

When the application came up for interpartes hearing, the advocate for the defendants was not in Court. The plaintiffs said that they had properly served him. They, therefore, sought to proceed exparte.

I, however, note that the affidavit by the process server dated 25.6.2014 is not signed. I am, therefore, unable to ascribe any blame upon the defendants regarding their absence.

Be it as it may, this application is merely facilitative and meant to bring on board the County Government in accordance with the new Constitutional dispensation. In the circumstances, I allow the application.

Costs shall be in the cause.

Delivered in Open Court his 25th day of June, 2014 in the presence of:

Cc. Daniel

Miss Kiome for Plaintiff

P. M. NJOROGE

JUDGE