



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**HCC 30 OF 2010 (OS)**

**V N K.....APPLICANT**

**VERSUS**

**C R N.....RESPONDENT**

**RULING**

1. By the application dated 26<sup>th</sup> June 2012, the respondent seeks leave to file his documents to be relied on out of time. The failure to file the documents on leave is to be blamed on the respondent's former lawyer, the applicant pleads.
2. I have not seen on record an affidavit of service as evidence of service of the said application. Likewise there is no record of a reply to the said application.
3. On 26<sup>th</sup> July 2013 it was directed that the said application be disposed of by way of written submissions. I do not see any written submissions on record.
4. As the application dated 26<sup>th</sup> June 2012 is unopposed, I do not have any basis for denying the respondent the orders sought therein. The said application is hereby granted as prayed. The respondent shall file the said documents in the next thirty – (30) days.

**DATED, SIGNED and DELIVERED at NAIROBI this 26<sup>th</sup> DAY OF September, 2014.**

**W. MUSYOKA**

**JUDGE**

**In the presence of Mr. Kimani for Mr. Ngethe advocate for the applicant.**