



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA
WINDING-UP CAUSE NO. 3 OF 2014
IN THE MATTER OF : REHAB TRADING COMPANY LIMITED
AND
IN THE MATTER OF : THE COMPANIES ACT
BETWEEN
MOHAMED SALIM BAHMARIZ.....PETITIONER
V E R S U S
REHAB TRADING COMPANY LIMITED.....RESPONDENT

JUDGMENT

1. Petitioner has brought this matter seeking the Winding-Up of the Company **REHAB TRADING COMPANY LIMITED**. The Petitioner Mohamed Salim Ahmed Bahmariz is a shareholder of the Company holding 50% shareholding, while the other 50% shares are held by Saleh Omar Bamadhi.
2. The Company was incorporated in 1987 and since 1989 the Directors have not held any Board meeting, have not filed delivered any Statutory Report to the Registrar and indeed did not commence any business. All this became difficult because Saleh Omar Bamadhi relocated to Saudi Arabia todote.
3. The Company's one and only asset is an immovable property namely **MOMBASA/BLOCK/XVII/1129**. Petitioner gave evidence to the effect that because of the dormancy of the Company there had been attempts by unknown people to 'grab' the Company's immovable property.
4. There is no doubt that this Court has jurisdiction as provided under Section 219(b) of the Companies Act Cap 486 to Wind up the Company for being in default of delivering Statutory Report to the Registrar or in holding Statutory meetings.
5. The Petitioner did inform the Court that he had approached Paul Wambua and requested him to be the Liquidator after the Winding up Order is issued. Mr. Wambua is a Licenced Valuer and Estate Agent and I am confident he will be best suited to be a Liquidator to deal with the only asset owned by the Company.
6. I therefore issue the following orders-

- a. **That REHAB TRADING COMPANY LIMITED be and is hereby Wound up by this Court.**
- b. **Mr. Paul Wambua is hereby appointed a Liquidator.**

- c. **The Costs are awarded to the Petitioner.**

DATED and DELIVERED at MOMBASA this 25TH day of SEPTEMBER, 2014.

MARY KASANGO

JUDGE