



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**COMMERCIAL & ADMIRALTY DIVISION**  
**BANKRUPTCY CAUSE NO. 26 OF 2014**  
**RE: JOHN KAROKI KARIUKI (A DEBTOR)**  
**EX-PARTE (THE DEBTOR)**

**R U L I N G**

1. Before the court is the Debtor's Petition dated 15th August 2014. It seeks the following orders:-
  1. ***That a Receiving Order be made in respect of the Petitioner's estate and the petitioner be adjudged bankrupt.***
  2. ***That pursuant to Section 1 of the Bankruptcy Act an order of stay of all execution be granted.***
2. The application is supported by the verifying affidavit of the Petitioner filed in court on 21st August 2014. The Petition is also supported by a Declaration of Inability of Pay Debts filed in court on 21st August 2014.
3. There is also a Certificate of Compliance certified by the Official Receiver also filed in court on 21st August 2014. The Official Receiver has not opposed the Petition.
4. The Petitioner states that the debt arose out of a suit filed in court against him. The debt stands at Kshs.3,564,924.13 and is earning interest. The debtor is unable to pay the same, and now seeks to be declared bankrupt.
5. I have considered the Petition, and i make the following orders:-
  - a. ***I hereby issue a Receiving Order in the Petitioner's Estate.***
  - b. ***I order stay of execution in relation to the Petitioner's estate.***
  - c. ***I appoint the Official Receiver as the Interim Receiver of the Petitioner's estate.***
  - d. ***I direct that these orders be served upon all the Creditors and other Interested Parties.***

Orders accordingly.

**READ, DELIVERED AND DATED AT NAIROBI THIS 17TH DAY OF OCTOBER 2014**

**E. K. O. OGOLA**

**JUDGE**

**PRESENT:**

Macharia for Debtor

No appearance for Official Receiver

Irene – Court Clerk