



IN THE HIGH COURT OF KENYA  
AT NAIROBI (MILIMANI COMMERCIAL COURTS)  
Bankruptcy Cause 12 of 2007  
(LESIIT, J.)

KENNETH MAINA KARITE.....PLAINTIFF

VERSUS

JANE NJERI.....DEFENDANT

R U L I N G

There are two Preliminary Objections raised against the application dated 23rd August, 2007 which application was brought by the Official Receiver under various sections of the Bankruptcy Act.

The preliminary objection brought by the Petitioner's Advocate is dated 15th November 2007 and it raises the following five grounds.

1. THAT the conduct of the said State Counsel Mark Gakuru offends the provisions of Rule 9 of the Advocates practice rules.
2. THAT the application drawn by the said State Counsel relying on an Affidavit sworn by himself is perjured and tainted with malice and ill motive.
3. THAT the Application is oppressive and intended to exert pressure on the debtor to accede to the said Counsel's wrongful and illegal demands.
4. THAT it is a gross aberration of justice and an abuse of the due process of law.