

REPUBLIC OF KENYA

High Court at Mombasa

Civil Miscellaneous Application 3 of 2013

ISSA AHAMED ABEDI.....APPLICANT

VERSUS

MWANAMISI MWALIMU.....RESPONDENT

RULING

I have considered this application for transfer of suit No. 16/2012 from Kwale Kadhi's Court to Mombasa. I find no merit in the same. The claim that the Kadhi is related to the respondent is a mere allegation. Indeed in his affidavits the applicant concedes that he does not know whether this is true or not.

I decline to allow the transfer as no good grounds have been advanced. The application is hereby dismissed. Each party to bear its own costs.

Dated and delivered in Mombasa this 11th day of March, 2013.

M. ODERO

JUDGE