

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CIVIL DIVISION

CIVIL CASE NO. 75 OF 2011

J I K

(suing as the next friend of

J W I, a Minor)..... **PLAINTIFF**

VERSUS

AL HAG HOLDINGS LIMITED..... DEFENDANT

RULING

1. I have considered the **notice of motion dated 29th January 2013**, which is an application for leave of the court to compromise the suit on behalf of the minor Plaintiff. In doing so I have looked at the comparable cases provided by the Plaintiff's advocates vide their list and bundle of authorities dated 4th and filed on 6th June 2013.
2. I have also perused the court record. Though it is stated at paragraph 1 (g) of the grounds for the application that parties compromised on the issue of liability and recorded consent to that effect on 20th February 2012, no such order appears on the record. What the parties did on that date was to file a consent dated 30th January 2012 which has not yet been acted upon by the court.
3. I will therefore now enter an order in terms of the said consent dated 30th January and filed in court on 20th February 2012.
4. I will also grant the leave sought in prayer 1 of the application and the order sought in prayer 2 subject to investment as proposed in the **Investment Proposal dated 4th and filed in court on 6th June 2013**. Costs of the application shall be in the cause. Those will be the orders of the court.

DATED AND SIGNED AT NAIROBI THIS 13TH DAY OF JUNE 2013

H.P.G. WAWERU

JUDGE

DELIVERED AT NAIROBI THIS 14TH DAY OF JUNE 2013