

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MOMBASA DISTRICT REGISTRY

CLAIM NO. 8 OF 2013

ISSUE DATE: 17/6/13

CLAIMANT: STURROCK SHIPPING (KENYA) LIMITED

DEFENDANT (S): THE OWNERS OF THE MOTOR VESSEL

“INDIAN OCEAN EXPLORER 2”

JUDGMENT

1. The Claimant has moved this Court by an application notice dated 13th September 2013. The Claimant seeks by that application for judgment to be entered against the Defendant in default of acknowledgement of service for the sum of US\$ 40,356.94 plus interest at 12% with effect from 17th June 2013 until payment in full.
2. The Claimant did annex to the affidavit in support the affidavit of service of Pamela A. Ombok sworn on 24th June 2013. It is clear from that affidavit of service that the Defendant was served with the claim form on 21st day of June 2013. To date the Defendant has not filed in this matter an acknowledgement of service within the prescribed period.
3. Accordingly there is merit in the Application Notice dated 13th September 2013 and judgment is hereby entered as prayed for in the Application Notice.

Dated and delivered at Mombasa this 19th day of December, 2013.

MARY KASANGO

JUDGE