

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (MILIMANI LAW COURTS)

CIVIL CASE 454 OF 2004

BELGO HOLDINGS LIMITED.....PLAINTIFF

VERSUS

ROBERT OTACHI & ANOTHER.....DEFENDANT

DIRECTIONS

I am not about to re-invent the wheel.

I note that on 2nd November, 2009 the Honourable Justice Martha Koome, as she then was, gave comprehensive directions on the hearing of this matter. I urge both sides to revisit those directions and abide by them. The nerve centre of those directions is that the 1st Defendant is recorded as having sworn in his replying affidavit that the only documents the Defendant wished to rely on are those from the Office of the Registrar of Companies, and that they do not wish to rely on any other documents. This statement was made under oath in the replying affidavit.

For these reasons, I direct that the directions given by Judge Koome (supra) be observed to the letter. That is the only way by which we can make progress in this matter without engaging in time consuming arguments as to what evidence Counsel should lead. Let the directions given by Judge Koome be obeyed strictly in observance and not in breach.

DATED and DELIVERED at NAIROBI this 19th March, 2012.

L. NJAGI
JUDGE