

MARY NJERI

MUIGAI.....
.....PLAINTIFF

VERSUS

PETER NYOIKE

MUIGAI.....1^S
T DEFENDANT

TERRY

WAMBUGU.....
.....2ND DEFENDANT

PETMAR INVESTMENTS

LTD.....3RD
DEFENDANT

THE HONOURABLE ATTORNEY GENERAL sued for and on behalf of the REGISTRAR OF COMPANIES.....4TH DEFENDANT

RULING

1. Before me is a notice of motion dated the 6/6/12. The plaintiff/applicant has brought this application under order 52 rules of the Supreme Court of England, section 5 of the Judicature Act Cap 8, sections 1A, 3A and Section 63 of the Civil Procedure Act Cap 21 of the laws of Kenya and any other enabling provisions of the laws of Kenya.

2. The applicant seeks leave to be granted to institute contempt of Court proceedings against the 1st defendant peter Nyoike Muigai and that the said respondent do personally attend the proceedings herein and/or do post bail to secure his personal attendance and that costs of the application be provided for.

The application is premised on grounds (a) to (h) stated on the face of the application together with an amended statement dated 10th July 2012.

3. The application is an exparte application. I have read the amended statements which details the history behind its application. It is evident that there are court orders that were served on the 1st defendant/respondent as deponed by the applicant. The 1st defendant has been served . I therefore grant prayer no. 2 of the application dated 6/6/12, leave is granted to the plaintiff to institute contempt of Court proceedings against the 1st defendant Peter Nyoike Muigai. Costs shall be in the cause.

Dated, signed and delivered this 8th day of August 2012

R. OUGO
JUDGE

In the Presence of:-

..... For the plaintiff

..... For the defendants

..... Court Clerk