



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

THE COMMERCIAL AND TAX DIVISION OF THE HIGH COURT

CIVIL SUIT NO. 241 OF 2009

THE REGISTERED TRUSTEES OF MICRO ENTERPRISES SUPPORT

(MESPT).....PLAINTIFF/APPLICANT

VERSUS

BUNGOMA FAMILY DEVELOPMENT

**PROGRAMME1ST DEFENDANT/RESPONDENT
SIMON N.**

**MABONGA.....2ND DEFENDANT/RESPONDENT
JOB**

**MUKULE.....3RD DEFENDANT/RESPONDENT
JASON**

**WEKESA.....4TH DEFENDANT/RESPONDENT
J.S.**

**KHAKULA.....5TH DEFENDANT/RESPONDENT
MIRIAM**

**KULOBA.....6TH DEFENDANT/RESPONDENT
ALFRED**

**MOJO.....7TH DEFENDANT/RESPONDENT
JOASH**

**ODUOR.....8TH DEFENDANT/RESPONDENT
DR. GOERGE**

WEBALA.....9TH DEFENDANT/RESPONDENT

DIRECTIONS

In the course of preparing the Ruling in the Notice of Motion date 30th March, 2010 it became apparent, after perusing the file, that no papers appear to have been filed in Reply to the same by the 1st, 2nd and 3rd Respondents, the only Replying Affidavit being the one sworn by the 5th, 6th, 7th, 8th and 9th Respondents on 19th June 2010, and filed on 23rd June 2010.

Mr.Kakula who appeared for the 1st Defendant and held brief for Mr. Kraidon at the hearing of the application, did not specify on what basis his submissions in opposing the application were made save for

his reference to the pleadings.

It being evident that the file herein has been submitted to the recently conducted scanning process under reference No. 000170, I have found it prudent to have the parties confirm the status before the Ruling is delivered as appropriate. For these reasons the Ruling earlier reserved is hereby deferred to a later date to be taken once the parties have appraised the court as regards all the documentation filed if any, in reply to the Notice of Motion dated 30th March, 2010.

DATED, SIGNED and READ in open Court on **11TH** day of **MARCH, 2011**

M. G. MUGO
JUDGE

In the presence of:

Miss Kahoro holding brief for Mr. Kimondo

For the Plaintiff

Ms. Ogula holding brief for Mr. Makhoha

For the Defendants

No appearance for 1st defendant