



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAIROBI**

**(MILIMANI COMMERCIAL & TAX DIVISION)**

**WINDING UP CAUSE NO. 2 OF 2011**

**IN THE MATTER OF THE COMPANIES ACT (CAP 486 LAWS OF KENYA)**

**AND**

**IN THE MATTER OF WINDING UP OF KENYA DATA NETWORKS LIMITED**

**JUDGMENT**

Pursuant to resolution passed at an Annual General Meeting held on 6<sup>th</sup> March 2010, and approved by the Board of Directors on 5<sup>th</sup> July 2010, the subject Company, Chania Travellers Investment Company Limited presented this petition for a voluntary winding up, praying that it be wound up by the court under the provisions of the **Companies Act, Chapter 486** of the **Laws of Kenya**.

On 13<sup>th</sup> May 2011, the petitioner through its advocates M/S Osoro Juma & Company Advocates attended before the Deputy Registrar, Milimani Commercial Courts who, being satisfied that the provisions of the **Companies Winding Up Rules** as to the advertisement of the petition, and the filing of prescribed affidavits had been complied with, duly confirmed the petition for hearing.

Through its counsel, Mr. Osoro, the petitioner told the court that shareholder's decision to voluntarily wind up the company was necessitated by a change in the Government's policy regulating the Commuter Service Sector in which the petitioner carried on business. Counsel submitted that no objection to the petition had been received either from the Registrar of Companies or any member if the public in response to the Notice of the Winding Up advertised in the Kenya Gazette of 15<sup>th</sup> April 2011, under **G.N No. 4215**, a copy of which was exhibited in the petition.

In its petition, as verified by the Affidavit of Joseph Kamau Kariuki, with authority of the petitioner's board, the Company has stated that it has neither liabilities nor assets, the same having been disposed of and/or shared out at the time of filing the petition.

Considering the above, I am satisfied that it is just and equitable that the petitioner, Chania Travellers Investment Company Limited be Wound Up under **Sections 219 (b)** and **221** of the **Companies Act** and I

do so order.

**DELIVERED and SIGNED at NAIROBI this 1<sup>ST</sup> day of SEPTEMBER, 2011**

**M. G. MUGO**

**JUDGE**