



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT EMBU**

**CIVIL CASE NO. 11 OF 2008**

ZAKARY EVAN IRERI KIRIMO.....PLAINTIFF  
VERSUS  
BENJAMIN NJERU KIRAITHE..... DEFENDANT

**R U L I N G**

This is the Defendants Application dated 30/5/2011. It is brought under Order 1 Rule 15 of the Civil Procedure Rules for leave to issue a Third Party Notice to Clear Real Traders.

The Application is supported by the Affidavit of the Defendant. It raises arguable issues and I find it to be merited. I therefore grant him leave to issue 3<sup>rd</sup> Party Notice to CLEAR REAL TRADERS. The same should be filed and served within 14 days.

**DELIVERED, SIGNED AND DATED AT EMBU THIS 2<sup>ND</sup> DAY OF NOVEMBER 2011.**

**H. I. ONG'UDI  
JUDGE**