



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAIROBI (MILIMANI COMMERCIAL COURTS)**

**Winding Up Cause 8 of 2009**

**IN THE MATTER OF STRABAG EAST AFRICA LIMITED**

**AND**

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

**RULING**

This is a petition voluntary winding up cause brought by Strabag East African Limited under the Companies Act (Cap) 486) Laws of Kenya. The same was filed by Karl Heinx Schneider and Benedikt Heribert Schippers who are the Directors of the company. This court is satisfied that all due steps were taken leading to this hearing including gazetting the petition in the official gazette (G. No. Vol. CXI 62 of 17<sup>th</sup> July 2009. Besides the above, the Company also passed a resolution dated 5<sup>th</sup> August, 2008 which has been signed by all the directors. The said resolution states as follows:

***“that the Company be closed and that the Registrar of Companies BE and is HEREBY requested to strike off the Company from the Register of Companies with immediate effect as it has remained dormant and unoperational since a number of years and it has no prospects of any further business for the foreseeable future.***

***It is further placed on record that the Company has no assets or liabilities to third parties as at the date of the Resolution.”***

Apart from the above, the company’s representative viz Mr. Japheth Kimathi Musimi also informed the court that the company has been dormant since the year 2001.

After perusing the petition along with the affidavits and annexures, this court is satisfied that the reliefs sought by Mr. Musimi’s be and are hereby granted. The court is satisfied that a winding-up order do issue and that the official receiver be appointed the company’s provisional liquidator. And the costs herein be taxed and paid out of the company’s assets.

Orders accordingly.

**MUGA APONDI**  
**JUDGE**

Read, signed and delivered in the presence of:

No appearance for - Petitioner's counsel

Milimo -Company's Counsel

**MUGA APONDI**  
**JUDGE**  
**18<sup>TH</sup> FEBRUARY 2010**