



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI (MILIMANI COMMERCIAL COURTS)**  
**Miscellaneous Application 1040 of 2009**  
**IN THE MATTER OF K-PALS LIMITED AND**  
**IN THE MATTER OF CHARGE OVER APARTMENT**  
**NO. B1 ON L.R. NO. 209/11053. KENWOOD APARTMENTS,**  
**NAIROBI BY SAVINGS AND LOAN KENYA LIMITED**

**RULING**

This ruling relates to a notice of motion application brought under section 102 of the Companies Act and Rules 8(b) of the Companies (High Court) rules, and Section 3 and 3A of the Civil Procedure Act, Cap 21 Laws of Kenya. It seeks the following orders

- a) The firm of Robson Harris and Companies Advocates be granted leave to come on record for the Applicant herein.
- b) The application herein be certified as urgent and be heard in the first instance.
- c) The time for registration of the Charge document dated 29<sup>th</sup> May, 2009 against the Lease of the property Apartment Number B2 erected on Land Reference Number 209/11053, Nairobi be extended.
- d) The costs of this application be borne by the applicant.

During the hearing of the application, the applicant's counsel Mr. Muga sought the leave of the court to extend the time for registration of the charge document dated 29<sup>th</sup> May, 2009 against the property which is apartment No. B2 on L.R. 209/11053 Nairobi. The application has been supported by the affidavit of Serah Wairimu Wambugu. According to Mr. Muga the charge was not registered on time since the Vendor's advocate delayed in completing the documents. It is on that basis that he has prayed for extension of time for registration of the charge.

After carefully considering the application together with the annexures, I hereby grant the same in terms of prayer No.

c. Specifically, I hereby direct that the time for registration of the charge document dated 29<sup>th</sup> May 2009 against the lease for the property Apartment No. B2 erected on L.R. No. 209/11053 Nairobi be extended for a period of 45 days from today.

Those are the orders of this court.

**MUGA APONDI**  
**JUDGE**

Ruling read signed and delivered in open court in the presence of: Mr. Saende for Muga - Applicant's Counsel

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