



**REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (MILIMANI COMMERCIAL COURTS)**

**Miscellaneous Application 72 of 2010
IN THE MATTER OF THE COMPANIES ACT CAP 486 LAWS OF KENYA**

AND

IN THE MATTER OF AN APPLICATION BY MINI HOLDINGS LIMITED

RULING

This ruling relates to an originating notice of motion application brought under section 102 of the Companies Act, Cap 486 Rule 8 of the Companies (High Court) Rules and Section 3A of the Civil Procedure Act. The said application seeks the following orders:

1. **THAT this application be certified urgent.**
2. **THAT MINI HOLDINGS LIMITED be granted leave to register with the Registrar of Companies the Further Charge instrument dated 20th August, 2009 created in favour of Transnational Bank Limited out of time.**
3. **THAT this Honourable Court be pleased to extend the time for registration with the Registrar of Companies the Further Charge instrument for a further period of One Hundred and Twenty days (120) days from 2nd October, 2009.**

During the hearing of the application the applicant's counsel Ms Kemei submitted that the applicant has created another further charge in favour of Trans-National Bank Limited. The security has been registered at the Ministry of Lands. However, the applicant is unable to register the document with the Registrar of Companies since the time to do the same has already expired. The learned counsel reminded the court that it has the powers to extend the time for registration. Apart from the above, he also submitted that the application is supported by the affidavit of Hannah Cheptumo.

After considering the application carefully, together with the annexures, I hereby grant the same in terms of Prayer No. 2 and 3. Specifically, I hereby grant thirty (30) leave to the applicant to register with the Registrar of Companies the further charge instrument dated 20th August 2009 created in favour of Trans-National Bank Limited. Secondly, I hereby extend the time for registration with the Registrar of Companies the further charge instrument for a period of thirty (30) 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. Kipng'etich for Ms. Kemei - Applicant's Counsel

**MUGA APONDI
JUDGE**

16TH FEBRUARY 2010