



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

Miscellaneous Civil Application 35 of 2010

SAVINGS & LOAN KENYA LIMITED.....APPLICANT

-VERSUS-

KENJORO ENTERPRISES LIMITED.....RESPONDENT

RULING

This ruling relates to a notice of motion application brought under section 102 of the Companies Act and Rules 3, 4 and 8(b) of the Companies (High Court) Rules and Section 3A of the civil Procedure Act, Cap 21 Laws of Kenya. It seeks the following orders.

1. **THAT the period for registering the Mortgage dated 9th September 2009 and made between Kenjoro Enterprises Limited as the Mortgagor and Savings & Loan Kenya Limited as the Mortgagee over L.R. No. 2/113 (Original Number 2/97/7) be extended and the same be filed with the Registrar of Companies within Forty Five (45) days form the date of this order or on such terms and conditions as seem to the court just and expedient.**
2. **THAT the cost of this application be in the cause.**

In his submissions, Mr. Thimba the applicant's counsel stated that there application is supported by his affidavit. The application seeks an extension of time within which to file a mortgage within the company's registry. The said mortgage relates to land parcel No. L.R. 2/113.

After carefully considering the application I hereby concede to the same in terms of prayer No. 1. Specifically, I hereby direct that the period of registering the mortgage dated 9th September 2009 made between Kenjoro Enterprises Limited as the mortgagor and Savings and Loan Kenya Limited as the mortgage over L.R. No. 2/113 (original No. 2/97/7) be extended and the same be filed with the Registrar of Companies within 45 days from the date of this ruling.

Those are the orders of this court.

Costs in the cause.

MUGA APONDI
JUDGE

Ruling read signed and delivered in open court in the presence of: Thimba - Applicant's Counsel

MUGA APONDI
JUDGE
12TH FEBRUARY 2010