

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI (MILIMANI LAW COURTS)

CIVIL SUIT 395 OF 2009

**IN THE MATTER OF KENYA MEDICAL RESEARCH INSTITUTE STAFF RETIREMENT
BENEFITS SCHEME**

AND

IN THE MATTER OF THE RETIREMENT BENEFITS ACT, NO. 3 OF 1997

RULING

Upon considering the Chamber Summons dated 28th May 2009, which is brought under section 45(2) of the Retirement Benefits Act and other provisions of the law, and the supporting affidavit by Edward **Odungo** sworn on 28th May 2009. It is evident the Interim Administrator of Kenya Medical Research Institute Staff Retirement Benefit Scheme has not completed the mandate referred to paragraph 18 of the supporting affidavit. It is therefore necessary for the court to extend his mandate to conclude the investigations and compile a report. Accordingly, I hereby Grant prayer Nos. 1 and 2 as sought in the originating summons dated 28th May 2009. Costs of this application shall be in the cause.

RULING READ AND SIGNED AT NAIROBI THIS 10TH DAY OF JULY 2009.

M.K. KOOME

JUDGE