

NATIONAL BANK OF KENYA LIMITED.....DECREE HOLDER

Versus

SAMSON KEENGU NYAMWEYA.....JUDGMENT DEBTOR

BOKIN HOLDINGS LIMITED.....OBJECTOR

RULING

From what has been brought to my attention during the hearing of the objector's objection in Chamber Summons dated 13th February 2008 the said Chamber Summons is hereby dismissed for the following reasons:

Firstly, the Objector's refusal to disclose his relationship with the judgment debtor who is being shown to be connected with the proclaimed property.

Secondly, the Objector's Counsel alleging death of the Auctioneer through unsupported affidavit and without clearly showing how the proclamation is not in accordance with the law.

Thirdly, ownership of attached land claimed to have been Effected as far back as 1995but to date no official certificate of relevant title exhibited.

Fourthly, insufficient evidence to prove the Objector is the legally or the sole legally registered owner of the proclaimed motor vehicle the real logbook of which has not been shown to the court.

The Applicant to pay costs of the Chamber Summons to the Respondent.

Dated this 30th day of October 2009.

J.M. KHAMONI

JUDGE

Present:

Mr. Ashimosi for the Objector

M/s Munyasa for the Plaintiff/Decreeholder

Court Clerk: Kabiru