



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

Civil Case 479 of 2007

JOHNSON WACHIRA MUGO.....1ST PLAINTIFF
MOSES WANGAI NJOROGE.....2ND PLAINTIFF
ELIZABETH SAVETHI WANGAI.....3RD PLAINTIFF
FLORENCE SOILA NGOSSORR.....4TH PLAINTIFF

VERSUS

SASANET INVESTMENTS

CO-OPERATIVE SOCIETY LIMITED.....1ST DEFENDANT
SASANET LIMITED.....2ND DEFENDANT
MICHAEL CHEGE.....3RD DEFENDANT
SAMMY GITAU.....4TH DEFENDANT

AND

EQUITY BANK LIMITED

(UPPERHILL BRANCH).....GARNISHEE

R U L I N G

The application has been brought through chamber summons – (ex-parte) under Order XXII Rule (1) (2) (3) and (4) and rule 10 of the Civil Procedure rules and Section 3A of the Civil Procedure Act Cap 21 Laws of Kenya. The application seeks the following orders:

1. THAT all debts and monies owing, belonging, accruing and or due and payable to the Defendant being held by the Garnishee in their Bank Account Nos. Equity Bank Ltd. – A/C. No.0180290109739 – (Upperhill Branch) be attached in whole or part satisfaction of the decree herein,
2. THAT the garnishee to attend court on a day to be decided by the court to show cause if any why it should not pay the Decree Holders/Plaintiffs the entire amount held in its account in part or whole satisfaction of the Decree.
3. THAT the cost of the Application be paid by the Judgment Debtors herein.

Upon hearing Counsel for the ex-parte applicant on his application dated 5th November, 2009, and upon reading the application as filed together with the annexure to the supporting affidavit, this court is satisfied that the same is meritorious. Accordingly, I allow the application in terms of prayer No. 2 thereof.

The applicant to serve the application for interpartes hearing on 30th November, 2009.

MUGA APONDI

JUDGE

Ruling read, signed and delivered in open court in the presence of:

Mr. Mungai - Applicant's counsel.

MUGA APONDI

JUDGE

16TH NOVEMBER 2009