



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

Civil Case 167 of 2008

MARY WAMBUI NJOROGE.....PLAINTIFF

VERSUS

SASANET INVESTMENTS

CO-OPERATIVE SOCIETY LIMITED.....1ST DEFENDANT

AND

CO-OPERATIVE BANK OF KENYA LIMITED

(CITY HALL 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. Co-operative Bank of Kenya Ltd. – A/C. No.2092925900 – (City Hall Branch).
2. THAT the garnishee to attend court on a day to be chosen 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