

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

Civil Suit 1302 of 1999

JANET K. MUHALI AND JIMMY M. ALUSA

(Suing as the legal Representative

Of the Estate of Silas Alusa) PLAINTIFF/RESPONDENTS

Versus

JOSEPH MBUGUA KIBUYWA 1ST DEFENDANT

SALAMA ROAD CONSTRUCTION 2ND DEFENDANT

KABURU OKELO AND PARTNERS CONSULTING

ENGINEERS LTD 3RD DEFENDANT/APPLICANT

RULING

From what has been brought to my attention during the hearing of this Chamber Summons dated 22nd May, 2008 where Mr. Mutubwa is representing the Applicant and Mr. Ngii representing the Respondent, the said Chamber Summons be and is hereby dismissed with costs to the Respondent for reasons to be given on 10th July, 2008 at 2.30 p.m.

Dated this 19th day of June, 2008.

J.M. KHAMONI

JUDGE