

REPUBLIC OF KENYA

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

Civil Case 1163 of 1999

CUCU WATAKU.....PLAINTIFF

VERSUS

JOHNSON NGANGA CHUTHA.....DEFENDANT

RULING

By this Notice of Motion expressed to be brought under Order XXIII Rule 3(1) of the Civil Procedure Rules, the applicants apply to be made parties in this suit. The application is based on the ground that the plaintiff died on 9th March 2006 and the Cause of Action serves.

The application is also supported by an affidavit sworn on 24th November 2006 by Zipporah Wangui Cucu who avers that the three applicants are the legal representatives of the estate of the plaintiff Solomon Cucu Wataku now deceased.

The application is unopposed. It is granted in terms of Prayers 1 and 2 of the Notice of Motion dated 24th November 2006.

Dated at Nairobi this 14th March 2007.

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J.L.A. OSIEMO

JUDGE