

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

Bankruptcy Cause 15 of 2000

IN THE MATTER OF BETH WANJIKU KIMINGI IN BANKRUPTCY AND

IN THE MATTER OF THE BANKRUPTCY ACT, CAP. 53

OFFICIAL RECEIVERAPPLICANT

V E R S U S

BETH WANJIKU KIMINGIDEBTOR/RESPONDENT

R U L I N G

On 31st March, 2000, upon the Debtor's own petition, a receiving order was made for the protection of her estate and the Official Receiver duly constituted the receiver of the estate. A public examination of the Debtor was conducted and concluded on 23rd June, 2004 under section 17 of the Bankruptcy Act, Cap.53 (the Act). It was apparent that the Debtor was unable to pay her debts, at that time amounting to over KShs. 2.5 million.

The Official Receiver has now applied by notice of motion dated 6th October, 2005 under section 20 of the Act and also under rule 15 of the Bankruptcy Rules for an order that the Debtor be adjudged bankrupt, and for the court to set a period within which she shall apply for her discharge. The application is supported by the affidavit of one MARK GAKURU, a state counsel in the office of the Official Receiver of the Republic of Kenya. The Debtor has duly consented to be adjudged bankrupt; the Official Receiver has concurred with the Debtor's consent. The necessary consents are annexed at paragraph 3 of the supporting affidavit.

That being the case, I hereby adjudge the Debtor bankrupt. She shall apply for her discharge at the expiration of twelve (12) months from the date of this adjudication. Costs of this application shall be paid from the estate of the Debtor. There will be orders accordingly.

DATED AT NAIROBI THIS 23RD DAY OF AUGUST, 2007

H. P. G. WAWERU

J U D G E

DELIVERED THIS 24th DAY OF AUGUST, 2007