

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

Civil Case 391 of 2001

NATIONAL BANK OF KENYA APPLICANT

versus

SPECIALIZED SUPPLIERS RESPONDENT

RULING

In this *Ex-parte* Notice of Motion dated 4th September 2007, the Applicant wants an order of this court confirming sale of properties mentioned in the application and therefore wants in addition grant of certificate of sale.

From what has been brought to my attention by Mr. Burugu for the Applicant and Mr. Koech for the Respondent during the hearing of the Notice of Motion, I find no good reason why the Notice of Motion should not be granted. The sale took place on 14th March 2006 and to date the Respondent has filed no application to set aside the sale or otherwise prevent the sale from being confirmed. What the Respondent has said in opposition in this application therefore came out as mere delaying tactic which should not be accepted.

Accordingly this Notice of Motion is hereby granted as prayed.

Dated this 22nd Day of October, 2007.

J. M. KHAMONI

JUDGE