

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA

Admiralty Claim 1 of 2007

AFRICAN MARINE & GENERAL ENGINEERINGPLAINTIFF

VERSUS

OWNER OF MOTOR VESSEL "M.V. MAROUSHKA".....DEFENDANTS

ORDER ON DIRECTIONS

The claimant and one of the bidders have sought for the directions of this court on the way forward. What prompted the Admiralty Marshal to seek for directions is the fact that one of the bids was received out of time and that the same was not stamped. Secondly the bids received so far are said to be below the reserve price. After considering the oral submissions of Mr. Inamdar for the claimant and Mr. Kinyua for one of the bidders I am satisfied that the admiralty Marshall was entitled in law to seek for directions in view of the above issues. I am convinced that the bid was received out of time cannot be accepted hence these bids which had been received on time will only be considered. I also grant directions to the effect that the highest bidder be accepted though the price offered is below the reserve price.

Dated and delivered at Mombasa this 27th day of November 2007.

J. K. SERGON

J U D G E

In open court in the presence of Mr. Samir Inamdar for the Claimant.

N.A for others.

Amenge h/b Khaminwa for one of the caveaters