

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

Civil Case 645 of 2000

FRANCIS KARANJA KAMAUPLAINTIFF

VERSUS

NICHOLASA KIGOTHO KARUKA DEFENDANTS

RULING

I: BACKGROUND

1. The defendant 1 and 2 have changed advocates on grounds that the insurance company they have been with is under (liquidation) (receivership).
2. Then new advocate appearing to court prays that he be given time to obtain the defendants files from the other advocate. He is unable to proceed with the trial.
3. The application is opposed as adequate time to do this was given.

II: Finding

4. The application is not unreasonable. I hereby grant the advocate for the defendants 30 days in which to obtain the original file by either giving a letter of undertaking or paying costs to the former advocate in order to obtain the defendant file.
5. The costs for today will be borne by the defendant 1 and 2. They will also pay 1,000/- court adjournment fees.

Dated this 23rd day of May 2006 at Nairobi.

M.A. ANG'AWA

JUDGE

Kibatia & Co. Advocates for the plaintiff

F.N. Wamalwa & Co. advocates for the defendant