



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

**Civil Case 2479 of 1996**

**LUCIE NDUKU MWANGANGI.....  
.....PLAINTIFF**

**VERSUS**

**KAHAWA SUKARI LTD & ANOTHER.....  
.....DEFENDANTS**

**RULING**

The defendant by way of this Notice of Motion expressed to be brought under Order XLIX Rule 5, Order L Rule 1 and 2 of the Civil Procedure Rules and Section 3A of the Civil Procedure Act seeks orders that time be enlarged within which to file the defence and counter claim of the applicant and that the annexed defence and counter claim herein be deemed duly filed.

The application is based on the grounds as stated on the body of the Notice of Motion and supported by an affidavit sworn by William Ochanda Onguru on 18<sup>th</sup> April 2006. The Respondents were served but they did not file any papers to oppose the application.

The application not being opposed is allowed in terms of Prayers 1 and 2 of the notice of Motion dated 18<sup>th</sup> April 2006.

Dated and delivered at Nairobi this 28<sup>th</sup> day of July, 2006.

**J.L.A. OSIEMO**

**JUDGE**