

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA
Civil Suit 260 of 2000

JENNEBY TAITAPLAINTIFF

VERSUS

PIL (KENYA) LIMITED1st DEFENDANT

JOSEPH OPPONG2ND DEFENDANT

AND

ALICE KEMINGISHAINTERESTED PARTY

R U L I N G

In a motion dated 21st September 2005, the interested party herein, Alice Kemigisha, applied to have her Ugandan passport No. B 202705 to be released to her. She has sworn in her affidavit in support of the motion that she intends to travel to Uganda but cannot do so unless the passport is released to her. Mr. Gikandi advocate for the 2nd Respondent did not want to oppose or support the application. The Learned advocate just said that he would leave it to court. None of the parties filed any replying affidavit or grounds of opposition despite having been served. I have perused the proceedings of 4th June 2001 and it is clear that this court was prompted by Mr. Gikandi Advocate to issue an order directing Alice Kemingisha to deposit her passport in court. He now does not want to unlock the problem.

I have carefully considered the matter and I am satisfied that the further holding of the interested party's Ugandan passport serves no useful purpose. Consequently the motion dated 21st September 2005 is allowed as prayed.

Dated and delivered at Mombasa this 25th day of July 2006.

J.K. SERGON

J U D G E

In open court in the absence of the parties.