

IN THE HIGH COURT OF KENYA
AT MOMBASA
Misc Appli 46 of 2001

IN THE MATTER OF:
AN APPLICATION BY GEORGE S.
NGOMBO FOR LEAVE TO APPLY
FOR JUDICIAL REVIEW APPLICANT
A N D

IN THE MATTER OF:
THE DISCIPLINARY COMMITTEE OF
THE LAW SOCIETY OF KENYA RESPONDENT

R U L I N G

In the course of perusing this file to prepare a ruling on the Respondent's application seeking to dismiss the Applicant's main application in this matter, I have been unable to trace any affidavit of service showing that the application itself was served upon the Applicant or his advocates. What there is is an affidavit of service showing that a hearing notice for 16th June 2005 was served upon counsel for the Applicant. Had I noticed this earlier I could not have allowed the application to be argued ex-parte. In the circumstances I order that the Respondent serves its application date the 9th April 2003 upon the Applicant's advocates and thereafter list it for hearing afresh.

DATED and delivered this 17th day of June 2005.

D.K. MARAGA
JUDGE