



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT MOMBASA**  
**CIVIL CASE NO. 304 OF 2004**

DAVID GICHAGA MUNUHE (Suing on his own behalf of the Estate of the late  
JOSEPH MURIUKI NJOGU.....PLAINTIFF

=V E R S U S=

1.AZAKE BEER LIMITED

2.SAID FARAJ SAID

3.WOODVENTURE COMPANY LIMITED.....DEFENDANTS

**R U L I N G**

The Applicant seeks extension of time for filing a suit in respect of personal injuries occasioned by the negligence of the Defendants as a result of which death occurred. The reason for the delay is that Grant of representation was applied for but was not issued in time to enable the personal representative of the deceased to file suit in time. The delay is admitted of 18 months.

Court: After consideration of the provisions of Section 27 of the Limitation of Actions Act, I am satisfied that delay occasioned is reasonable and not deliberate. I therefore allow application and grant orders sought.

Costs shall be in the cause.

**Dated this 27th day of February, 2004.**

**JOYCE KHAMINWA**  
**J U D G E**

**Read in presence of Mr. Odiaga.**

**JOYCE KHAMINWA, J.**