

IN THE HIGH COURT OF KENYA

AT KISII

MISC. CIVIL APPLICATION NO. 177 OF 2004

PHILEMON KIBET LANGAT PLAINTIFF/APPLICANT

VERSUS

STAGE COACH CO. LTD.DEFENDANT/RESPONDENT

RULING:

Applicant seeks court to enlarge time to file suit. He was involved in an accident on 24/7/99. Suit should have been filed within 3 years. He now depones that documents were misplaced in the office of the advocate.

I have considered the application. It has no merit. I am not satisfied that there were documents misplaced in the Advocates office. The advocate has not sworn any affidavit to state that.

Application is therefore rejected.

KABURU BAUNI

AG. JUDGE

23/11/2004