

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CIVIL SUIT NO.432 OF 2001

KICONCO MONICA 1ST PLAINTIFF

KEMIREMBE LOIS 2ND PLAINTIFF

VERSUS

KISEGI AGENCIES LTD DEFENDANT

R U L I N G

The Applicants/Plaintiffs are not in Kenya under the jurisdiction of this Court. They apply that important documents relating to the ownership of certain vehicles listed in the application be released to them. The Respondents have objected to the application on the grounds that he has not been fully paid and he fears the Plaintiffs may not return to jurisdiction of this court. On perusing the affidavits on both sides and upon hearing of the arguments of counsel I am of the opinion that the Respondent must be paid in full before he is asked to part with the only security he now holds. In the circumstances the application is rejected and the same is dismissed with costs.

Dated at Mombasa this 16th Day of April, 2002.

**J. KHAMINWA
COMMISSIONER OF ASSIZE**

No appearance for Applicant or Respondent though have been notified.

**J. KHAMINWA
COMMISSIONER OF ASSIZE**