



IN THE HIGH COURT OF KENYA AT NAIROBI  
MILIMANI COMMERCIAL COURTS

CIVIL CASE NO.749 OF 2001

LUTHERAN WORLD FEDERATION ..... PLAINTIFF  
VERSUS  
NU-TECH SYSTEMS LTD. .... DEFENDANT  
R U L I N G

The defendant Nu-Tech Systems Limited has brought this application to set aside a judgment entered herein against it on 26.6.2001 in default of appearance and defence. Also sought to be set aside are the consequential orders made thereafter.

Having read both the plaint and the defence filed herein and also the application filed by the defendant as well as, all the papers filed in support and opposition thereto including the Replying Affidavit, I am fully satisfied that the defence filed by the defendant herein is a complete sham and consequently there would be no point whatsoever in setting aside the default judgment. The application is accordingly dismissed with costs.

Dated at Nairobi this 24th t day of May, 2002.

T. MBALUTO  
J U D G E