

IN THE HIGH COURT OF KENYA
AT MOMBASA

MISC. CIVIL APPLICATION NO. 162 OF 2002

ABNER AUMA MASANDA PLAINTIFF / APPLICANT

V E R S U S

1.KENYA PORTS AUTHORITY

2.ATTORNEY GENERAL RESPONDENTS / DEFENDANTS

RULING

The application is brought under the provisions of Section 18 of the Civil Procedure Act and seeks to withdraw and transfer Suit in CMCC No. 5235 of 1999 for trial and disposal by the High Court. The application was served but no appearance or replies on behalf of the defendants was received.

In the circumstances the Suit CMCC No. 5235 of 1999 is hereby withdrawn from the Chief Magistrate's Court and transferred for trial and disposal before the High Court. Costs will be in the cause.

Dated and delivered this 27th day of July 2002.

P. M. TUTUI

COMMISSIONER OF ASSIZE