

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA

AT MOMBASA

MISC. APPLICATION NO. 18 OF 1999

REPUBLIC APPLICANT
- VERSUS -
THE ATTORNEY GENERAL RESPONDENT
R U L I N G

The application before court is by Notice of Motion dated 15.7.02 under Section of 5 of the Judicature Act and orders 42 and 52 of the Rules of the Supreme Court. It seeks the leave of the court by the applicant to institute contempt proceedings against the Permanent Secretary in the office of the President In-charge of Internal Security for failure to comply with a court order to pay the balance due on a decree issued and the balance duly assessed by the Deputy Registrar at Kshs.68,262/= on 4.7.2001 and costs taxed at Kshs.60,000/=. The application is supported by the Affidavit of Samson Okong'o. I have considered the reasons advanced in favour of the application and hereby grant the sought leave. The costs shall be in the course. The name of Mr. Zachary Cheruiyot is to be amended to read Zacharia Cheruiyot.

Dated at Mombasa this 22nd day of August, 2002.

P.M. TUTUI
COMMISSIONER OF ASSIZE