

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI

CIVIL CASE NO.1327 OF 1999

INDUSTRIAL DISTRIBUTORS LTD..... PLAINTIFF
VERSUS
EXXADO PAINTS & ALLIED LTD.....DEFENDANT
ASK ME ENTERPRISES..... OBJECTOR
R U L I N G

In this application, the objector seeks that the attachment of the machineries pursuant to a decree in this case be raised or lifted as it had legal interests in them. The objector's case is that it had hired those machines to the Defendant/Judgment-Debtor. The Hire Agreement did not specify the machinery that had been hired and it is unclear whether it was executed by the Defendant. It is also not registered. On these grounds, I agree with Mr. Mutinda for the Plaintiff/Judgment – Creditor that this objection has no basis and should be rejected.

I, therefore, dismiss this application with costs.

Dated and delivered at Nairobi this 22nd day of May, 2001.

ALNASHIR VISRAM

JUDGE