

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CIVIL SUIT NO. 312 OF 1998

- 1. PARADISE MOMBASA LIMITED
2. PARADISE MOMBASA MARKETING LTD.....PLAINTIFFS**

= V E R S U S =

- 1. MOSHE BOINESS
2. TEXTONIC LIMITED.....DEFENDANTS**

R U L I N G

I think I will accept the difficulties expressed by counsel for the Plaintiff/Respondent in retrieving the file from the Plaintiff/Respondent erstwhile Advocates. It would appear however, that there has been a fairly long notice for this hearing and there ought to have been more concerted efforts to obtain the file and prepare for the hearing. For that reason while I adjourn the matter it will be for a limited time only. It will be re-listed for hearing on 11.7.01. The Plaintiff/Respondent shall pay Court Adjournment Fees of Kshs.1,000/- and the 1st Defendant/Applicant's Advocats costs assessed at Kshs.1,500/-. Both payments to be made before 11.7.01.

Dated this 14th day of June, 2001.

**P.N. WAKI
J U D G E**