

IN THE HIGH COURT OF KENYA

AT MOMBASA

CIVIL SUIT NO. 410 OF 2000

DIAMOND TRUST BANK KENYA LTD.....PLAINTIFF

= V E R S U S =

1.ROZINA Z. H. DHALA

2.SADRUDIN H. DHALLA

3.NEHAZ ABDUL DOSSA.....DEFENDANT

R U L I N G

I agree with Mr. Mugambi that the state of Mr. Magolo's health could have been communicated earlier since the report is dated yesterday. While I adjourn the matter on compassionate grounds therefore I order that the Respondent shall bear the Court Adjournment Fees Kshs.1,000/- and the Applicant's Advocate's costs assessed at Kshs.1,500/-. Both payments to be made before the matter is re-listed. An early date shall be given for the hearing of the matter.

Dated this 13th day of June, 2001.

P.N. WAKI

J U D G E