



**REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA AT NAIROBI  
CIVIL CASE 670 OF 2001**

**EMPRESS DADGER COMPANY LIMITED ..... PLAINTIFF  
VERUS  
KENYA CULTURAL CENTRE ..... DEFENDANT**

**Court:**

Since I am no longer in the Commercial Division at Milimani or the Civil Section of the High Court and the Applicant in the Notice of Motion dated 7th December 1999 is seeking the granting of a number of other prayers and in view of the time lapse from the date of my ruling dated 8th December 1998 during which time other rulings have been made by other judges touching on this suit thereby rendering meaningless and irrelevant the insistence that I hear the Notice of Motion dated 7th December 1999, filed and ignored for almost two years, and bearing in mind that this is a case where apparently, the parties had the plaint filed for the sole purpose of engaging in a line of interlocutory applications one after another some simultaneously filed, I do hereby decline to entertain hearing of the aforesaid Notice of Motion on the mere basis that it seeks a review or the setting aside of my ruling and do hereby direct that the relevant case file be returned either to the Commercial Division of the High Court at Milimani or to any other Division or Section of the High Court, where the file properly belongs, for hearing of the said Notice of Motion by any judge in the said Division or Section.

**Dated this 2nd day of October,2001.**

**J.M. KHAMONI  
JUDGE**