



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**HIGH COURT CIVIL CASE NO. 383 OF 2000**

**LEONARD MUNGA GITHINWA.....PLAINTIFF**

**-VERSUS-**

**UNITED INSURANCE COMPANY LTD.....DEFENDANT**

**JUDGMENT**

The plaintiff has sued the defendant following the Judgment which he obtained in HCCC No. 1937 of 1995 in his favour against the defendant in that case who was Peter Mwanthi Njenga who was the present defendants insured. The Defendant has refused or neglected to indemnify the insured by paying the decretal sum.

In his evidence the plaintiff said that the defendant had been served with the requisite notice about its liability arising from that case. To date the decretal amount remains unpaid.

I am satisfied that the Defendant is bound to indemnify the insured the defendant in HCCC No. 1937 of 1995. In accordance with the decree dated 4.11.99.

There will therefore be judgment for the plaintiff as prayed for in prayers (a) (b) and (c) of the plaint.

Delivered and dated this 18th July, 2000.

**KASANGA MULWA**

**JUDGE**