



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**HIGH COURT CIVIL CASE NO. 2312 OF 1997**

**INSURANCE COMPANY OF EAST AFRICA LIMITED.....PLAINTIFF**  
**-VERSUS-**  
**JANE MUTAVE NZWILI.....DEFENDANT**

**RULING**

The applicant is asking for the addition of PETER IRUNGU MURAGE as a party to the suit on the ground that he is the one who sold the vehicle to the defendant/applicant in the first instance.

The vehicle in question is kept with the police pending the determination of the suit filed by the plaintiff claiming ownership. The defendant claims to have bought the vehicle from Murage. The plaintiff claims that the vehicle had been stolen from their insured and later found with the defendant.

The application to join Murage as a party will be allowed. This will assist in determination of the matters in issue. With regard to issue of releasing the vehicle to one party; the answer lies in hearing the suit. The parties should simply set down the case for hearing and dispose of it.

Mr. Murage will be joined as a party to the suit and should be served with the summons and plaint.

Thereafter the suit be set down for hearing.

**Dated and delivered this 14th day of July, 2000.**

**KASANGA MULWA**

**JUDGE**