



REPUBLIC OF KENYA



**Kariuki v Standard Group Limited & 2 others (Civil Case E190 of 2020)
[2025] KEHC 1842 (KLR) (Civ) (17 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 1842 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

**CIVIL
CIVIL CASE E190 OF 2020**

LP KASSAN, J

FEBRUARY 17, 2025

BETWEEN

HON SICILY K. KARIUKI APPLICANT

AND

THE STANDARD GROUP LIMITED 1ST RESPONDENT

ORLANDU LYOMU 2ND RESPONDENT

JESSE ROGERS 3RD RESPONDENT

RULING

1. This is a simple application seeking orders that the court vary the mediated agreement requiring payment of Kshs 1,500,000 into 4 instalments. I have looked at the application and oral submissions and wish to rule that the mediation statement is dated 25th April 2024 meaning that it is now around eight months old.
2. I also note that the mediation agreement has a default clause. Courts rarely interfere with contracts or consents unless there are exceptional circumstances.
3. No payment has been made to demonstrate good faith coming from an attempt to unilaterally vary the mediation agreement. By issuing a cheque of Kshs 375,000 the parties willingly entered into the agreement. It would be unfair for this court to adjust what was unilaterally agreed.
4. The onset of the above is that the application is dismissed with costs.

DATED, SIGNED AND DELIVERED VIRTUALLY THIS 17TH DAY OF FEBRUARY 2025

HON L KASSAN

JUDGE



Read in absence of parties.

Court Assistant – Carol

