



**Karihe t/a Thuita Merchants v Hasbah Kenya Limited & another (Civil Case E137 of 2023) [2025] KEHC 4652 (KLR) (Commercial and Tax) (3 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4652 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI COMMERCIAL COURTS)  
COMMERCIAL AND TAX  
CIVIL CASE E137 OF 2023  
BK NJOROGE, J  
APRIL 3, 2025**

**BETWEEN**

**JAMES THUITA KARIHE T/A THUITA MERCHANTS ..... PLAINTIFF**

**AND**

**HASBAH KENYA LIMITED ..... 1<sup>ST</sup> DEFENDANT**

**EQUITY BANK KENYA LIMITED ..... 2<sup>ND</sup> DEFENDANT**

**RULING**

1. The Plaintiff has filed an application dated 1<sup>st</sup> April, 2025 under a Certificate of Urgency. It seeks to reopen the case, though the matter is listed for a defence hearing today.
2. This will necessitate an adjournment. The Defendants indicate they wish to oppose the application.
3. In the circumstances, the hearing is adjourned at the instance of the Plaintiff who is to pay Court adjournment fees before the next date.
4. To progress the matter forward, the Notice of Motion dated 1<sup>st</sup> April, 2025 is to be disposed of by way of written submissions.
5. The Defendants to file their response within 14 days. The Plaintiff to file a Further Affidavit and submissions within 14 days and serve. The Defendants to file their submissions and serve within 14 days.
6. Mention to confirm compliance on 9<sup>th</sup> June, 2025

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 3RD DAY OF APRIL, 2025**

**NJOROGE BENJAMIN K**



## **JUDGE**

In the presence of;

Mr. Njagi for the Plaintiff

Mr. Okoth for the 1<sup>st</sup> Defendant

Miss Chepchirchir for the 2<sup>nd</sup> Defendants

Mr. Luyai – Court Assistant

