



REPUBLIC OF KENYA



**Mwangi & another v Stanbic Bank (K) Ltd & another (Commercial Case E231 of 2025)  
[2025] KEHC 4604 (KLR) (Commercial and Tax) (3 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4604 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI COMMERCIAL COURTS)  
COMMERCIAL AND TAX  
COMMERCIAL CASE E231 OF 2025**

**BK NJOROGE, J**

**APRIL 3, 2025**

**BETWEEN**

**DUNCAN GITHIGA MWANGI ..... 1<sup>ST</sup> PLAINTIFF**

**KIWI TIMBER & METAL WORKS LTD ..... 2<sup>ND</sup> PLAINTIFF**

**AND**

**STANBIC BANK (K) LTD ..... 1<sup>ST</sup> DEFENDANT**

**JOSEPH M. GIKONYO T/A GARAM INVESTMENTS**

**AUCTIONEERS ..... 2<sup>ND</sup> DEFENDANT**

**RULING**

1. Let the Respondent file their Replying Affidavit by close of business today. The Plaintiff is to file a Supplementary Affidavit and submissions within seven ( 7) days. The Respondent is to file submissions within seven ( 7) days.
2. The matter is listed for highlighting of submissions after the Easter vacation on 13<sup>th</sup> May, 2025. In the meantime, the Court notes that there is a scheduled auction on 8<sup>th</sup> April, 2025. It is only fair that the Court hears the parties. If the sale proceeds the purpose of the application may be lost.
3. The Plaintiff is to bear the Auctioneer's costs for the auction that has been stopped to be paid within the next 10 days. In default, the temporary injunction granted will be lifted and the bank may proceed to hold another auction.
4. Highlighting on 13<sup>th</sup> May, 2025.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 03<sup>RD</sup> DAY OF APRIL, 2025**

**NJOROGE BENJAMIN K**



## **JUDGE**

In the presence of;

Mr. Gatheru for the Plaintiffs

Miss Kariuki for the Defendants

Mr. Luyai – Court Assistant

