



REPUBLIC OF KENYA



KENYA LAW
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**APA Insurance Company Ltd v Bukheit (Civil Miscellaneous
E135 of 2025) [2025] KEHC 9892 (KLR) (9 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 9892 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUNGOMA
CIVIL MISCELLANEOUS E135 OF 2025**

MS SHARIFF, J

JULY 9, 2025

BETWEEN

APA INSURANCE COMPANY LTD APPLICANT

AND

FARID FARAJ BUKHEIT RESPONDENT

RULING

1. I have considered the Notice of Motion dated 26.6.2025, the affidavit in support thereof sworn by Ruth Mbalelo on 19.6.2025 and the enclosures attached thereto and I do note that the said application has not been opposed by the respondent, Farid Faraj Bukheit albeit served upon him on 1st July 2025 via Whatsapp through his mobile number 0722xxxxxx as evident from the affidavit of service sworn by Godfrey Livoywa Madekwa on 1st July 2025. I thus find that the application is well merited and I thus allow it and make the following orders:-
 - i. The applicant APA insurance company Ltd is hereby granted leave to file a declaratory/repudiatory suit against the respondent outside the limitation period specifically within 7 days from the date thereof in respect of an accident which occurred on 12.10.2023 involving the respondent motor vehicle Registration No. [particulars withheld].
 - ii. The applicant shall meet its own costs of this application.
 - iii. This file is hereby marked as closed.

DELIVERED, SIGNED AND DATED AT BUNGOMA THIS 9TH DAY OF JULY 2025.

M.S. SHARIFF

JUDGE

