



REPUBLIC OF KENYA



**Good Times Africa v Gathara (Civil Appeal E1116 of 2024)  
[2025] KEHC 10164 (KLR) (Civ) (7 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10164 (KLR)

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

**CIVIL**

**CIVIL APPEAL E1116 OF 2024**

**LP KASSAN, J**

**JULY 7, 2025**

**BETWEEN**

**GOOD TIMES AFRICA ..... APPELLANT**

**AND**

**DENNIS GATHARA ..... RESPONDENT**

**RULING**

1. The Appellant/Applicant filed a Notice of Motion dated 26.09.2024, which was not certified urgent. A temporary stay of execution was granted upon the Appellant/Applicant depositing the security of Kshs 300,000/= in court. The court gave further directions to have the matter heard interparties on 20.11.2024.
2. The Appellant/Applicant filed another Notice of Motion dated 19.11.2024 seeking extension of the time to deposit the security of costs granted by the court on 27.09.2024. The same was opposed and parties were directed to submit on the same and on the issue of costs.
3. Parties filed their respective submissions. Upon perusal of the court record, the Appellant/Applicant managed to deposit the security in court on 20.11.2024. I, therefore, find it moot to proceed with the application dated 19.11.2024. To save the court's time, parties to proceed with hearing of the substantive appeal. Costs in the cause.
4. It is so ordered.

**DATED, SIGNED AND DELIVERED VIRTUALLY THIS 7<sup>TH</sup> DAY OF JULY 2025**

**LINUS P. KASSAN**

**JUDGE**



In the presence of:-

Kemunto holding brief Miima for Appellant

Respondent

Carol – Court Assistant

**HCCA E1116/2024**

**PROCEEDINGS**

Coram: Before Hon L Kassan – Judge

Carol Court Assistant

Kemunto holding brief Miima for Appellant

Ngugi holding brief Kiti for Respondent

**COURT**

Ruling delivered virtually.

Mention 2/10/2025 for submissions and Record of Appeal.

**HON L. KASSAN**

**JUDGE**

