



**Olweny v Kenya Medical Practitioners Regulated WDT Board Sacco Ltd & another  
(Commercial Case E007 of 2023) [2025] KEHC 10696 (KLR) (16 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10696 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
COMMERCIAL CASE E007 OF 2023**

**JM NANG'EA, J  
JULY 16, 2025**

**BETWEEN**

**DR TIMOTHY OCHIENG OLWENY ..... PLAINTIFF**

**AND**

**KENYA MEDICAL PRACTITIONERS REGULATED WDT BOARD SACCO  
LTD ..... 1<sup>ST</sup> DEFENDANT**

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

**RULING**

1. The 1<sup>st</sup> Defendant brought a Notice of Motion Application dated 13<sup>th</sup> June 2025 praying that this suit be struck out with costs for duplicity on account of a similar pending suit.
2. Despite evidence of service of the application, the Plaintiff has not filed a reply. His Advocate (Mr. Geke) only remarked on 25<sup>th</sup> June 2025 that he thought notice of withdrawal of the suit had been filed.
3. In the circumstances, the application is deemed as unopposed and is granted. Consequently, this suit is struck out with costs to the 1<sup>st</sup> Defendant.

**RULING DELIVERED THIS 16<sup>TH</sup> DAY OF JULY, 2025 IN THE PRESENCE OF:**

**J. M. NANG'EA, JUDGE.**

Plaintiff's Advocate, Absent

1<sup>st</sup> Defendant's Advocate, Mr. Ngugi

2<sup>nd</sup> Defendant, Absent

C/A (Jeniffer)

