



**Ngolua v Meru Highlands Dairy Limited (Civil Appeal E112 of 2023) [2024] KEHC 71 (KLR) (11 January 2024) (Ruling)**

Neutral citation: [2024] KEHC 71 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MERU  
CIVIL APPEAL E112 OF 2023  
EM MURIITHI, J  
JANUARY 11, 2024**

**BETWEEN**

**MIRITI NGOLUA ..... APPELLANT**

**AND**

**MERU HIGHLANDS DAIRY LIMITED ..... RESPONDENT**

**RULING**

1. The Court made an order herein on the 14/11/2023 granting the appellants fourteen (14) days to comply with order for deposit of security as ordered by the court (Cherere, J) on 27/7/2023, and in default of such deposit the respondent to be at liberty to execute the judgement of the trial court.
2. There has been no compliance and no steps taken in this matter other than being brought up together with two related appeals Meru HCCA Nos E109 and E113 of 2023 in which specific applications for review of the order for the deposit of security were made.
3. The Court considers, and accordingly marks, the application for stay of execution pending appeal herein as abandoned.
4. The Costs of the application shall be in the Appeal.
5. Order accordingly.

**DATED AND DELIVERED ON THIS 11<sup>TH</sup> DAY OF JANUARY, 2024.**

**EDWARD M. MURIITHI**

.....

**JUDGE**

I certify that this is a true copy of the original



Signed

**DEPUTY REGISTRAR**

Appearances:

Mr. Nyaga for the Applicant.

Mr. Kaba for the Respondent

