



**Karumba v Watatua (Miscellaneous Civil Application
E045 of 2023) [2024] KEHC 7144 (KLR) (13 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 7144 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYERI
MISCELLANEOUS CIVIL APPLICATION E045 OF 2023**

DKN MAGARE, J

JUNE 13, 2024

BETWEEN

DOUGLAS KARUMBA APPLICANT

AND

SERAH NJERI WATATUA RESPONDENT

RULING

1. Pursuant to Section 34 of the [Civil Procedure Act](#), issues of execution are dealt with in the same suit and not by a Separate Action.
2. Consequently the application dated 20/11/2023 being an application for stay without an underlying appeal is fatally defective and untenable in law.
3. The said application is consequently struck out in limine.
4. The file is closed.

DELIVERED, DATED AND SIGNED AT NYERI ON THIS 13TH DAY OF JUNE, 2024.

KIZITO MAGARE

JUDGE

