



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
Where Legal Information is Public Knowledge

**Omolo (Suing as the administrator of the Estate of Jane Aoko Okumu)  
v Samco Traders Ltd & another (Miscellaneous Civil Application  
163 of 2003) [2024] KEHC 6679 (KLR) (3 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 6679 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CIVIL APPLICATION 163 OF 2003**

**RE ABURILI, J**

**JUNE 3, 2024**

**BETWEEN**

**GEORGE OKUMU OMOLO (SUING AS THE ADMINISTRATOR OF THE  
ESTATE OF JANE AOKO OKUMU) ..... APPLICANT**

**AND**

**SAMCO TRADERS LTD ..... 1<sup>ST</sup> RESPONDENT**

**ERNEST OCHIEL ..... 2<sup>ND</sup> RESPONDENT**

**RULING**

1. This was an application for leave to appeal out of time filed on 17<sup>th</sup> July 2003 and has never been prosecuted.
2. The file has been lying in the registry since 2003 and was only discovered during our recent case audit.
3. The application filed on 17<sup>th</sup> July 2003 which must have died a natural death is hereby dismissed for want of prosecution.
4. This file is closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 3RD DAY OF JUNE, 2024**

**R. E. ABURILI**

**JUDGE**

