



**Otieno v Centre for Disease Control (Miscellaneous Civil Application
81 of 2003) [2024] KEHC 6637 (KLR) (3 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 6637 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CIVIL APPLICATION 81 OF 2003**

RE ABURILI, J

JUNE 3, 2024

BETWEEN

JACOB OPIYO OTIENO APPLICANT

AND

CENTRE FOR DISEASE CONTROL RESPONDENT

RULING

1. This is a 2003 case. The matter was originated vide an application dated 2nd April 2003 which is over 21 years ago, seeking for transfer of Kisumu HCCC No. 76 of 2002 between the parties hereto to the SPM's court at Kisumu for hearing and determination on the ground that the pecuniary jurisdiction of the lower court was enhanced, falling within the jurisdiction of the SPM's court's enhanced jurisdiction.
2. The last action was a notice of objection to the said application dated 23rd April 2003.
3. As no action has been taken for over 20 years and the application must have died a natural death, no prejudice will be occasioned if the application is disposed of.
4. The application dated 2nd April 2003 is hereby dismissed for want of prosecution with no orders as to costs.
5. File is closed.

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

R. E. ABURILI

JUDGE

