



**Juma v Adera & another (Miscellaneous Case E277 of 2024)  
[2024] KEHC 8578 (KLR) (15 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 8578 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CASE E277 OF 2024  
MS SHARIFF, J  
JULY 15, 2024  
(IN CHAMBERS)**

**BETWEEN**

**ALFRED OJIAMBO JUMA ..... PLAINTIFF**

**AND**

**BETTY ADHIAMBO ADERA ..... 1<sup>ST</sup> DEFENDANT**

**STANDARD CHARTERED BANK LTD ..... 2<sup>ND</sup> DEFENDANT**

**RULING**

1. I have considered the Applicant's notice of motion dated 11.7.2024, the supporting affidavit sworn by Alfred Ojiambo Juma on even date and I note that the impugned judgment was delivered on 30.5.2024 wherefore there is no urgency demonstrated given that the failure by the Applicant to get timely updates from his advocates is not a ground upon which this court can certify the application as urgent.
2. The above finding notwithstanding I will grant the Applicant prayer no. 6 and I order that an interim injunction to issue restraining the Respondents either by themselves, their servants and or agents or anyone whomsoever claiming title, deriving authority or acting on their behalf from entering, constructing, building, selling or disposing, transferring, erecting on the land parcel No. Kisumu/Korando/4574 pending the hearing of this application inter partes.
3. The Applicant is directed to deposit a bank guarantee of Kshs.2,000,000 in court within 30 days from the date hereof failure to which the interim orders will automatically lapse.
4. The Applicant is directed to serve this application within 2 days from the date hereof.
5. The Respondents are directed to file their responses within 10 days from the date hereof.



6. The Applicant is granted leave to file a supplementary affidavit if need be simultaneously with his submissions within 18 days from the date hereof and the Respondents to file their respective submissions within 26 days from the date hereof.
7. Mention on 15.8.2024 before the duty court to confirm compliance and take a mention date before High Court No. 1.

**DELIVERED, DATED AND SIGNED THIS 15<sup>TH</sup> DAY OF JULY, 2024.**

**M. S. SHARIFF**

**JUDGE**

