



**Paul Gicheru p/a Gicheru & Co. Advocates v African Merchant Assurance Co. Limited
(Miscellaneous Civil Application 35 of 2019) [2024] KEHC 9901 (KLR) (22 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 9901 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUNGOMA
MISCELLANEOUS CIVIL APPLICATION 35 OF 2019**

REA OUGO, J

JULY 22, 2024

BETWEEN

PAUL GICHERU P/A GICHERU & CO. ADVOCATES ADVOCATE

AND

AFRICAN MERCHANT ASSURANCE CO. LIMITED CLIENT

RULING

1. I have considered the application dated 28.6.2024 together with the supporting affidavit. I find that the applicant has sufficiently explained why they didn't attend the hearing of the Notice to Show Cause. I will give them a chance to prosecute their case. I therefore set aside the order dismissing the suit dated 19.6.2024. I reinstate the suit/application for hearing. Cost shall be in the cause.

DATED, SIGNED, AND DELIVERED AT BUNGOMA THIS 22ND DAY OF JULY, 2024.

R.E OUGO

JUDGE

In the presence of:

Mr. Ogongo - For the Applicant

Respondent - Absent

Wilkister/Diana – C/A

