



**Africa Merchant Assurance Co. Ltd v Angira (Civil Appeal E037 of 2024)
[2024] KEHC 11289 (KLR) (24 September 2024) (Directions)**

Neutral citation: [2024] KEHC 11289 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CIVIL APPEAL E037 OF 2024
RE ABURILI, J
SEPTEMBER 24, 2024**

BETWEEN

AFRICA MERCHANT ASSURANCE CO. LTD APPLICANT

AND

LABAN MAREWA ANGIRA RESPONDENT

DIRECTIONS

1. This is a Siaya High Court matter. The court has no Judge presiding following the untimely demise of Hon. Mr. Justice D. O. Ogembo in July 2024. This court is therefore providing support to Siaya High Court which falls in the same Geographical region as Kisumu High Court.
2. I have perused the certificate of urgency in support of the application dated 23rd September 2024.
3. The Judgment which is impugned by this appeal was rendered on 24th August 2024.
4. The Appellant seeks for stay of execution of decree in Bondo SPMCC No. 102 of 2023 pending the hearing and determination of the application and the appeal herein.
5. The award is Kshs.12,000,700 plus costs and interest made in Bondo SPMCC No. E070 of 2022. The former suit is a declaratory suit of the latter Judgment.
6. I have considered the supporting affidavit and the documents annexed thereto. I do not find any urgency disclosed. I decline to certify the application as urgent and direct the Applicant/Appellant to serve the Respondent with the application for interpartes directions on 24th October 2024.
7. These directions to be typed and uploaded in the CTS.
8. The Applicant's counsel to be notified forthwith to comply with the court's directions.
9. I so direct.



DATED, SIGNED AND DELIVERED AT SLAYA THIS 24TH DAY OF SEPTEMBER, 2024

R. E. ABURILI

JUDGE

