



Butali Sugar Mills Ltd v Frodak Kenya Limited t/a Frodak Cleaning Services; Zakayo & others (Proposed Third Party) (Civil Case E014 of 2021) [2024] KEHC 11234 (KLR) (20 September 2024) (Judgment)

Neutral citation: [2024] KEHC 11234 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CIVIL CASE E014 OF 2021
MS SHARIFF, J
SEPTEMBER 20, 2024**

BETWEEN

BUTALI SUGAR MILLS LTD PLAINTIFF

AND

FRODAK KENYA LIMITED T/A FRODAK CLEANING SERVICES DEFENDANT

AND

ABRAHAM K ZAKAYO & OTHERS PROPOSED THIRD PARTY

JUDGMENT

1. I have considered the request for judgment dated 6th November, 2023 made against the 1st to 123rd third parties and I have also considered the affidavit of service of Judith Opiyo Orenge sworn on 15th September 2023 and the copy of advertisement made through the Standard Newspaper on 21.7.2023 annexed as Plaintiff's annexure JAO-1 and I am satisfied that the 1st to the 123rd interested parties were duly served with summons to enter appearance by way of the aforesaid substituted service and have that notwithstanding failed to enter appearance within the requisite time frame or at all wherefore I do hereby enter judgment against them for a liquidated sum of Kshs.29,489,431.

2. It is hereby so ordered.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 20TH DAY OF SEPTEMBER, 2024.

M. S. SHARIFF

JUDGE

