



**Okuko v Osir & another (Civil Miscellaneous Application E018 of 2024)
[2024] KEHC 11155 (KLR) (24 September 2024) (Directions)**

Neutral citation: [2024] KEHC 11155 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CIVIL MISCELLANEOUS APPLICATION E018 OF 2024
RE ABURILI, J
SEPTEMBER 24, 2024**

BETWEEN

WILLIS OUGO OKUKO APPLICANT

AND

CAROLYNE AUMA OSIR 1ST RESPONDENT

MICHAEL OTIENO OMONDI 2ND RESPONDENT

DIRECTIONS

1. This matter was filed and handled by Kakamega High Court recess duty Judge during the recess on 28th August 2024.
2. The application dated 19th August 2024 was certified as urgent and directions given for service upon the Respondent and parties to appear interpartes on 11th September 2024 before the duty Judge for directions. No interim orders were issued.
3. The application seeks for stay of execution of decree pending the intended appeal as well as leave to file an appeal out of time from Judgment and decree rendered on 10th July 2024 in Madiany PMCC No. E005 of 2023.
4. It is not clear if the Respondent has been served with the application. However, Siaya High Court has no Judge currently following the untimely demise of the Presiding Judge Hon. D. O. Ogembo in July 2024.
5. That being the case, and as this court has been mapped to hold brief as a duty court in the same region as Siaya High Court, I now direct that the matter be mentioned on 24th October 2024 to confirm service of the application upon the Respondent and if the Respondent has filed a response thereto, upon which this court will give directions on the disposal of the application dated 19th August 2024 unless the parties mutually agree to resolve the matter amicably.



6. The directions as given should be typed and uploaded in the CTS.
7. The Applicant's counsel to be notified to serve the Respondent forthwith.
8. I so order.

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

R. E. ABURILI

JUDGE

