



**Idewa v Wanjema (Civil Miscellaneous Application E410 of 2022)
[2023] KEHC 4075 (KLR) (Civ) (2 May 2023) (Ruling)**

Neutral citation: [2023] KEHC 4075 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

CIVIL

CIVIL MISCELLANEOUS APPLICATION E410 OF 2022

AN ONGERI, J

MAY 2, 2023

BETWEEN

MAUREEN IJAH IDEWA APPLICANT

AND

CHRISTOPHER SHAYO WANJEMA RESPONDENT

RULING

1. The application coming for consideration in this ruling is the one dated June 27, 2022 brought under Article 159(2)(d) of the *Constitution*, section 1A, 1B, 3, 3A, 75, 78(1), (2), 79(G) of the *Civil Procedure Act* and Order 42 Rule 24, 26 and 27 of the *Civil Procedure Rules* 2010 and all other enabling provisions of law.
2. The application is supported by the affidavit of the applicant Maureen Ijah Idewa sworn on June 27, 2022 and based on the grounds on the face of it.
3. I have considered the application and the affidavit in support of it and I have also taken into account the grounds of opposition filed by the respondent dated September 16, 2022.
4. In the grounds of opposition, the respondent stated that the firm of Ogowe & Associates was not properly on record having not complied with Order 9 of the *Civil Procedure Rules*.
5. This point has already been overtaken since a consent has already been filed.
6. I allow the application dated June 27, 2022 on condition that the intended appeal be filed within 30 days of this date.
7. The appellant to pay costs of the application assessed at ksh 20,000 before the appeal is listed for hearing.



DATED, SIGNED AND DELIVERED ONLINE VIA MICROSOFT TEAMS AT NAIROBI THIS
2ND DAY OF MAY, 2023.

.....

A. ONGERI

JUDGE

In the presence of:

..... **for the Applicant**

..... **for the Respondent**

