



REPUBLIC OF KENYA



**Limited & 2 others v Opingo & 6 others (Civil Case E004 of 2021)
[2023] KEHC 27303 (KLR) (18 September 2023) (Ruling)**

Neutral citation: [2023] KEHC 27303 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CIVIL CASE E004 OF 2021
RE ABURILI, J
SEPTEMBER 18, 2023**

BETWEEN

**KENSALT LIMITED 1ST PLAINTIFF
NTULELE ESTATES LIMITED 2ND PLAINTIFF
EQUATORIAL COMMERCIAL BANK LIMITED 3RD PLAINTIFF**

AND

**CAROLINE OPINGO 1ST DEFENDANT
PAUL OTIENO CALEB 2ND DEFENDANT
ANTONY IDI INDAKO 3RD DEFENDANT
BUSIA SUGAR INDUSTRY LIMITED 4TH DEFENDANT
VICTORIA BLUE SERVICES 5TH DEFENDANT
BUSIA OUTGROWERS COMPANY LIMITED 6TH DEFENDANT
SAFETY AUTHORITY 7TH DEFENDANT**

RULING

1. This suit was filed on April 6, 2021. The Plaintiff has since extension of interim orders on March 8, 2022 not moved the court to have the matter heard and concluded. They were served with notice of dismissal of this suit *vide* email of May 23, 2023 but they have not appeared.
2. Accordingly, this suit is hereby dismissed for want of prosecution and the interim orders of stay of proceedings in Migori Chief Magistrate Civil Case No. E003 of 2020 issued on December 14, 2021 are hereby vacated and set aside.
3. This file is closed.



DATED, SIGNED AND DELIVERED AT KISUMU THIS 18TH DAY OF SEPTEMBER, 2023

R. E. ABURILI

JUDGE

