



**Angwenyi & another v Karagai (Miscellaneous Application E966 of 2024)
[2024] KEHC 14063 (KLR) (Civ) (13 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 14063 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CIVIL
MISCELLANEOUS APPLICATION E966 OF 2024
TW OUYA, J
NOVEMBER 13, 2024**

BETWEEN

**PETERSON MATONDA ANGWENYI & ANOTHER & ANOTHER &
ANOTHER & ANOTHER & ANOTHER APPLICANT**

AND

LINDA KARAGAI RESPONDENT

RULING

1. Before the court is a Notice of Motion application dated 22nd October 2024.
2. The gist of the application is for stay of execution of the Judgement delivered on 15th February 2024 by Hon. Ruguru SPM pending hearing and determination of this application.
3. The court had granted interim stay on prayers 3 and 4 on 28th October 2024.
4. The application together with supporting affidavit memorandum of appeal and directions for inter parties hearing for 11th November 2024 were served upon the Respondent.
5. The Applicant filed an affidavit of service dated 8th November 2024,
6. Despite service, the Respondent has failed to file any response or appear in court for inter parties hearing. In the absence of such the court takes it that the matter is unopposed.
7. Counsel for the Applicant has made oral submissions moving the court to grant prayers No. 5 and 6.
8. In the absence of any objections to the applicant's application, the court orders that:
 1. The release of motor vehicle registration number KCZ 549Y unconditionally.



2. Leave is granted to the Applicant to appeal against the Judgement of Hon. Ruguru SPM dated 15th February 2024.
3. Costs of the application be in the cause.

DATED, SIGNED AND DELIVERED VIRTUALLY THIS 13TH DAY OF NOVEMBER, 2024

ROA 14 days.

HON. T. W. Ouya

JUDGE

12/11/2024

For Applicant Ms Bor

For Respondent No appearance

Court Assistant Martin

