



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KITALE**

**MISCELLANEOUS APPLICATION NO. 72 & 73 OF 2019**

**MOIZ ALIASGER T/A ELDORET GLAZIERS HARDWARE.....PLAINTIFF**

**VERSUS**

**JOEL GESUKA T/A SKYNEST COUNTY HOTEL.....DEFENDANT**

**RULING**

The Procedure adopted by which the taxed bill of costs was executed was irregular. In the premises therefore the decree allowing the execution to proceed was Irregularly procured. The same is set aside together with all the consequential orders thereto. The person who caused the execution to be effected shall pay the auctioneers costs. The orders shall apply in Kitale H.C Misc. Civil Application No. 73 of 2019. It is so ordered.

**DATED at Kitale this 3rd June, 2021.**

**L. KIMARU**

**JUDGE**