



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT SIAYA**

**KISUMU HIGH COURT MISCELLANEOUS CIVIL CASE NO. 4 OF 2019**

**DORIS AWINO ABIRA.....RESPONDENT/APPLICANT**

**VERSUS**

**M.I. WAFULA & CO ASSOCIATES ....APPLICANT/RESPONDENT**

**RULING**

1. Have considered the application for leave to be heard during the recess and the main application for stay of taxation proceedings.
2. I find no urgency involved and/or disclosed. I decline to certify the matter as urgent and decline to grant leave to be heard during the recess.
3. I direct the applicant to serve the Respondent with the application for directions and interpartes consideration by the presiding/duty judge at Kisumu during the new term on 16.9.2020.
4. Matter referred back to Kisumu High Court for conclusion.

Orders accordingly.

**Dated, Signed and Delivered at Siaya this 3<sup>rd</sup> Day of September, 2020**

**R.E. ABURILI**

**RECESS DUTY JUDGE**