

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KISUMU

COMMERCIAL NO. 77 OF 2018

(FORMERLY ELC NO. 278 OF 2016)

BETWEEN

DAVID OSCAR OWAKO.....PLAINTIFF/APPLICANT

AND

NATIONAL BANK OF KENYA LIMITED.....DEFENDANT/RESPONDENT

RULING

1. On 12.08.2020, this court I dismissed the Applicant's application for recusal dated 28.02.2020.
2. By an application dated 20.08.2020 and filed on 27.08.2020, Plaintiff/Applicant seeks a stay of the orders of 12.08.2020 pending the hearing of this suit.
3. I have considered the application in the light the grounds of opposition filed by the Respondent on 22.09.2020 and the submissions filed for both parties.
4. There is no appeal challenging the orders of 12.08.2020 and a stay order is therefore unmerited.
5. In the end, the notice of motion dated 20.08.2020 and filed on 27. 08.2020 is undeserved and it is dismissed with costs to the Respondent.

Dated this 14th DAY OF October 2020

T. W. CHERERE

JUDGE

Court Assistants - **Ms. Amondi/Okodoi**

Plaintiff/Applicant - **In person**

For Defendant/Respondent -**Mr.Orieyo for Otieno,Yogo,Ojuro & Co. Advs**