

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

COMMERCIAL AND TAX DIVISION

CIVIL APPEAL NO. 007 OF 2020

FORMER CIVIL APPEAL NO. 511 OF 2018

HOUSING FINANCE COMPANY OF KENYA LIMITED.....APPELLANT

- VERSUS -

BRICK & MORTAR HOLDINGS LIMITED.....RESPONDENT

RULING

1. On 9th July 2020 this court directed the parties to file their written submissions to the appeal. When the matter came up before court on 17th September 2020 the court gave a judgment date on the understanding that the parties had filed their submission.
2. When I accessed the E-filing platform of this Division I was unable to trace a file under this case number. Consequently, I did not have the benefit of considering the parties' submission to the appeal if any.
3. I am presently on transfer from this Division and accordingly I will give parties another date before the incoming judge for this appeal to be heard denovo. I therefore set aside the orders of 17th September 2020 and direct this appeal be heard before the incoming judge.

DATED, SIGNED and DELIVERED at NAIROBI this 7th day of OCTOBER 2020.

MARY KASANGO

JUDGE

Before Justice Mary Kasango

C/A Sophie

For the Appellant

For the Respondent

ORDER

This decision is hereby virtually delivered this 7th day of **October, 2020.**

MARY KASANGO

JUDGE