



**REPUBLIC OF KENYA**

**IN THE HIGH COURT**

**AT MIGORI**

**MISC CIVIL APPLN NO. 257 OF 2018**

**TRANS-MARA SUGAR CO. LTD.....APPLICANT**

**-VERSUS-**

**ZABLON M. OKONDO.....RESPONDENT**

**ORDER**

1. I have perused and considered the record before me and I am of the view that I will not be able to sufficiently exercise my judicial discretion in the absence of a copy of the ruling for stay of execution of the decree delivered by the lower court on 08/03/2018.

2. Consequently, I hereby make the following further orders: -

**(a) The Applicant shall file and serve a Further Affidavit and introduce a copy of the ruling therein within 7 days of this order.**

**(b) Given that this matter has been in Court since March 2018 the stay of execution orders shall automatically lapse on failure to file the said Further Affidavit as ordered.**

**(c) Mention for further orders on 21/02/2019.**

Orders accordingly.

**DELIVERED, DATED and SIGNED at MIGORI this 14th day of February 2019.**

**A. C. MRIMA**

**JUDGE**

**Judgment delivered in open Court and in the presence of: -**

**Mr. Oguttu-Mboya** Counsel instructed by the firm of Messrs. Oguttu Mboya & Company Advocates for the Applicant.

**Mr. Odingo** Counsel instructed by the firm of Odingo & Company Advocates for the Respondent.

**Evelyn Nyauke** – Court Assistant