



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT MOMBASA**

**CIVIL CASE NO. 5 OF 2019**

**CARGO MOVERS LTD.....PLAINTIFF**

**VERSUS**

**1. DEI INDUSTRIES INTERNATIONAL LTD**

**2. GRAIN BULK HANDLERS LTD.....DEFENDANTS**

**ORDER**

**1. By consent:-**

The plaintiff's suit against the interested party is struck out with costs to the interested party to be paid by the plaintiffs.

**2. Further Orders:**

At the instance and request of the plaintiff the court makes the following orders:-

- a) On the basis of payment by the defendant of the liquidated sum claimed that prayer is marked as fully adjusted and settled.
- b) The claim for general damages is marked as withdrawn.
- c) As the defendant has admitted the plaintiffs claim by payment of the sum claimed, costs of the suit are awarded to the plaintiff.

**Dated at Mombasa on this 4th day of April 2019.**

**P.J.O. OTIENO**

**JUDGE**