



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT MOMBASA**

**CIVIL SUIT NO. 16 OF 2019**

**WEST COAST AFRICA LTD.....PLAINTIFF**

**VERSUS**

**1. NAIM & SONS LOGISTICS LIMITED**

**2. ADDAWE ALI ABDI.....DEFENDANTS**

**3. EQUITY BANK LIMITED .....INTERESTED PARTY**

**R U L I N G**

1. Having heard the parties, I do make the following orders:-

**a) Leave is granted to the plaintiff to file and serve a supplementary affidavit as well as written submissions within 14 days from today.**

**b) Upon service the Respondents and IP shall equally file and serve submissions within 14 days thereafter.**

**c) Matter shall be heard on 4/7/2019 by way of highlighting.**

**d) In terms of Order 40 Rule 3 the intern orders did lapse when not all pleadings were secured by the 18/3/2019 and the same are not available for extension.**

**e) Costs in the cause.**

2. Leave is granted to the plaintiff to appeal against these orders of today. The plaintiff shall be availed copies of proceedings and order for appeal purposes.

3. I have merely made a declaration that the law says the *experte* interim orders have lapsed and I do not consider that such an order is capable of being stayed unless I was to grant the injunction afresh.

**Dated and delivered at Mombasa this 02nd day of April 2019.**

**P.J.O. OTIENO**

**JUDGE**