

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CIVIL CASE NUMBER 508 OF 2012

GICHUKI KING'ARA & CO. ADVOCATES.....APPLICANT

VERSUS

TRANSFLEET LTD

TRANSFLEET EPZ LIMITED.....RESPONDENT

DIRECTIONS

On 11th March, 2019 this court set today's date for the ruling of an application which had not been identified. On retiring to prepare the ruling I realized that there are three applications on record and a notice to show cause, all of which had not been determined.

The application dated 4th April, 2015 (the correct year should be 2016 going by the court receipt) is by the applicant seeking the entry of a judgment based a Certificate of Taxation dated 31st March, 2016 plus interest until payment in full. This was followed by two applications filed by the respondent on 15th April, 2016 and another one filed on 17th May, 2016 respectively. On 27th June, 2018 a Notice to show cause was issued by the court for the dismissal of the case for want of prosecution.

The multiplicity of applications in this matter has clouded the record such that I am not able to write any ruling. The foregoing being the case I must now give directions to the effect that the Notice to show cause dated 27th June, 2018 shall be heard first. If the case is not dismissed, then the two applications by the respondent cited above shall be heard.

The hearing of the applicant's application dated 4th and filed on 6th April, 2016 shall depend on the outcome of the applications by the respondent.

Issued, dated and signed at Nairobi this 4th day of June, 2019

A. MBOGHOLI MSAGHA

JUDGE