

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA

CIVIL SUIT NO.311 OF 2014

MOHAMED ALI SALIM.....PLAINTIFF/APPLICANT

-VS-

STANELY MUNUVE KITHOME.....DEFENDANT/RESPONDENT

RULING AND/OR DIRECTION

I have perused the court record and find that on 7/11/2016 the counsel for the defendant was given 30 days to file an application to amend the defence. In default the plaintiff was at liberty to set down the suit for hearing. By 9/2/2017 the application to amend defence had not been filed.

The plaintiff set down the suit for hearing on 9/3/2017 when the matter came up for hearing the counsel for the defendant stated that he had filed the application. I have considered the submissions of both counsels. In order to expedite the hearing of the matter the defendant is hereby directed to fix the application to amend the defence within 21 days from the date hereof:

At this point for personal reasons I wish to reclude myself form further handling this matter. A date can be taken before another court of competent jurisdiction.

Orders accordingly

L. KOMINGOI

JUDGE

11/4/2017