



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT MERU**

**CIVIL SUIT NO. 88 OF 2008**

**M'NGUTHARI M'ITHEWA alias KARIMONI.....PLAINTIFF**

**VERSUS**

**THE COUNTY COUNCIL OF ISIOLO.....DEFENDANT**

**R U L I N G**

This application is dated 29.4.2005 and seeks orders;

1. ***THAT this application be certified urgent and be heard on priority basis.***
2. ***THAT this Honourable Court be pleased to substitute the name of the Defendant herein, that is The County council of Isiolo with the name 'THE ISIOLO COUNTY GOVERNMENT'.***
3. ***THAT the costs of this application be provided for.***

It is premised upon the affidavit of **M'NGUTHARI M'ITHEWA**, the applicant and the following grounds:

- a) **THAT** the Defendant has been abolished by the Constitution and its functions taken over by **THE ISIOLO COUNTY GOVERNMENT**.
- b) **THAT** the Substitution is necessary to enable this Honourable Court to hear the matter between the parties.
- c) **THAT** the substitution prayed for is necessary in Law.

In view of the provisions of the Constitution of Kenya 2010, the application is merely facilitative. It is certified urgent. It is also allowed in terms of its prayer 2. Costs shall be in the cause.

**Delivered in Open court at Meru this 11th day of May, 2015 in the presence of:**

Cc. Daniel/Lilian

Rimita for the applicant

**P. M. NJOROGE**

**JUDGE**