



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**COMMERCIAL & ADMIRALTY DIVISION**  
**CIVIL SUIT NO. 817 OF 2010**

**STANDARD CHARTERED BANK (K) LTD. ::::::::::::::: PLAINTIFF**

**VERSUS**

**WORLDWIDE AUTOMOBILES LTD. ::::::::::::::: DEFENDANT**

**R U L I N G**

1. The application before the court is an *ex-parte* chamber summons dated 1st July 2014 filed under the Orders stated therein seeking prayers namely:-
  2. *Joseph Mwangi Gichuki and Caroline Wairimu Maitha be enjoined as Defendants herein.*
  3. *The Plaintiff be at liberty to file and serve an amended plaint reflecting the names of the enjoined Defendants upon the enjoined Defendants within seven (7) days of the order hereof.*
  4. *It is in the interests of justice for the said Joseph Mwangi Gichuki and Caroline Wairimu Maitha be enjoined in this suit.*
2. The application is premised on the grounds set out therein and is supported by affidavit of **Josephine Ngunjiri** dated **1st July 2014**.
3. The application is *ex-parte* and Mr. Kiranga who prosecuted it relied fully on it.
4. The grounds given for the application are that:-
  - a. *Joseph Mwangi Gichuki and Caroline Wairimu Maitha are necessary parties to this suit in order of the effectual settlement of all matters herein having been Directors of the Defendant herein and having guaranteed the banking facility secured by the Defendant from the Plaintiff.*
  - b. *The Defendant has ceased operations and its whereabouts are unknown.*
  - c. *It is in the interest of justice for the said Joseph Mwangi Gichuki and Caroline Wairimu Maitha be enjoined in this suit.*
5. In my view there is no prejudice to be suffered by the present Defendant. In any event, there is a clear nexus between the Defendant and the parties now sought to be joined to the suit. In the interest of justice this application should be allowed.
6. In the upshot, I herewith allow the *ex-parte* chamber summons dated 1st July 2014 as prayed, with costs in the cause.

Orders accordingly.

**DATED, READ AND DELIVERED AT NAIROBI THIS 17TH DAY OF OCTOBER 2014**

**E. K. O. OGOLA**

**JUDGE**

**PRESENT:**

Baraka holding brief for Njeru Mucheru the Plaintiff

No appearance for Defendant

Irene – Court Clerk