

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CIVIL DIVISION

CIVIL SUIT NO. 427/2011

DANIEL LAGO OKOMOPLAINTIFF

VERSUS

SAFARI PARK HOTEL LTD.....1ST DEFENDANT

ATTORNEY GENERAL.....2ND DEFENDANT

RULING

The plaintiff/applicant has filed an application for summary judgment dated the 4/6/13. The application was opposed by the respondent. The plaintiffs claim for summary judgment is for a sum of Kshs. 803,508/-. I have with due respect to the applicant tried to understand his claim in the application and I find that what he seek is not clear at all. Summary judgment is given only in the clearest of cases. The plaintiff plaint has details of various claims. As pointed out by the respondents there are 2 figures stated by the plaintiff one of Kshs.803508/- and another of 10221500/-.

This matter as I stated is not a clear case of summary judgment on the 2nd defendant's grounds they can move the court with an appropriate application to seek what they state at ground No. 3. All in all I find no merit in the plaintiff /applicant application.

The plaintiff should fix his case for hearing. The application is therefore dismissed with no orders as to costs. I also advise the plaintiff that he should seek help from a lawyer or legal body like Kituo Cha Sheria to keep him particularise his claim clearly to enable the court that will hear his case know what his actual claim is. Application is dismissed.

Dated, signed and delivered this 7th Day of November 2013.

R. E OUGO

JUDGE

In the presence of:

.....Plaintiff

.....1st defendant

.....2nd defendant

.....Court Clerk