

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI
(MILIMANI COMMERCIAL COURTS)

Civil Case 492 of 2007

NEEM TREE RESORT LTD PLAINTIFF

VERSUS

AFRICAN CENTRE FOR HUMAN ADVOCACY (ACHA) ...DEFENDANT

RULING

The notice of motion dated 23.11.2007 was fixed for hearing today. Counsel for the applicant unsuccessfully applied for an adjournment. I have considered the matters raised in the Notice of Preliminary Objection filed on 6th February 2008. In addition to dismissing the application for want of prosecution I added that it is dismissed also for failure to comply with the mandatory provisions of ensuring the content.... was personally served with the application

Accordingly the application is dismissed with costs to the respondent.

RULING READ AND DATED 5TH NOVEMBER 2009 AT NAIROBI.

M.K. KOOME

JUDGE