

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
CIVIL SUIT NO. 867 OF 1990
TABITHA KASINA & OTHERS PLAINTIFFS
VERSUS
FRANCIS KASINA & OTHERSDEFENDANTS
ORDER

The grounds upon which Joshua Kasina, one of the defendants in this case found it necessary to swear and file an affidavit, without leave of this Court, are indeed unfortunate. The independence and integrity of this Court cannot be compromised on account of lies and rumours that have no basis, and are being peddled by litigants. As it has been repeatedly said by this Court, a Judge has no control over the utterances and sometimes even unbecoming actions of parties and their associates unless they are within the trial before the JTuhdigse . has been a long and contentious legal battle involving the Estate of the Late Ex-Senior Chief Kasina Ndo.

It is in the interest of justice and indeed all the parties involved, that the disputes between the parties should be resolved on their merits sooner than later. In the absence of any application before me, I hereby Order that the hearing of this suit shall proceed and be finalised with speed. Further hearing

dates to be taken on priority basis.

Dated and delivered at Nairobi this 2nd day of March, 1999.

E. OWUOR
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JUDGE OF APPEAL