

IN THE HIGH COURT OF KENYA AT NAIROBI

CIVIL CASE NO. 4340 OF 1994

**CONSUMER HIRE PURCHASE LTD.....PLAINTIFF
VERSUS
ELIZABETH WAITHIRA KAMUYU.....DEFENDANT**

RULING

This is the defendant's application for a stay of execution of the order made herein on 15th May, 1998. When that order was made the learned counsel for the defendant did not appear. I have now read the affidavit of the learned counsel for the defendant and believe that the reasons given for non attendance are plausible.

Accordingly I grant the orders sought in the Chamber Summons dated 7th July, 1998. The application shall not be set down for hearing on merit and the counsel for the defendant shall pay the costs of this application. Orders accordingly.

Dated and delivered at Nairobi this 31st day of July, 1998

**A. MBOGHOLI MSAGHA
JUDGE**

**Morara for plaintiff/respondent
Tiffo for Abnodha for defendant/applicant**