



**Labib Hospital Limited v Farfetch Supplies Limited (Civil Appeal E264 of 2023)
[2025] KEHC 13386 (KLR) (Civ) (30 September 2025) (Judgment)**

Neutral citation: [2025] KEHC 13386 (KLR)

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

**CIVIL
CIVIL APPEAL E264 OF 2023**

LP KASSAN, J

SEPTEMBER 30, 2025

BETWEEN

LABIB HOSPITAL LIMITED APPELLANT

AND

FARFETCH SUPPLIES LIMITED RESPONDENT

(An Appeal from the Judgement of Honourable J.W MUNENE delivered on March 2023 in Nairobi Milimani SCCCOMM/E509/2023 the parties being FARFETCH Suppliers Limited B Vs The LABIB Hospital Limited)

JUDGMENT

1. This is an appeal against the decision of the lower Court that found the Appellant liable to pay Ksh. 60000 to respondent because of refusing to pay for gas supply on the pretext that payment has been made. I have read the relevant document and wish to note the following:
 1. Proceedings;
 2. The trial magistrate gave clear directions for filing of documents and submissions on the 23rd day of February 2025 in presence of both advocates. The claimants filed submissions within the time limit that is on the 2nd March 2025. The claimant produced documents to prove his case but the Respondent did not produce any document to prove payment as alleged in his statement. This therefore means that the Claimant's documents are uncontroverted.
2. Failure to have submissions considered is not always fatal especially a matter is straight forward like this one. This is a case that can be decided by just looking at the proceedings and pleadings
3. The upshot of the above is that the lower Court decision is upheld and consequently the appeal is dismissed with costs to the Respondent.



4. Orders Accordingly.

DELIVERED, DATED AND SIGNED AT NAIROBI THIS 30TH DAY OF SEPTEMBER, 2025

L. P. KASSAN

JUDGE

In the presence of:

Omondi for Appellant

No appearance for Respondents

Court Assistant – Carol.

L. P. KASSAN

JUDGE

Stay for 30 days granted.

