



REPUBLIC OF KENYA



**Melu & another v Wakoli (Miscellaneous Application E116 of 2025)
[2025] KEHC 13300 (KLR) (24 September 2025) (Ruling)**

Neutral citation: [2025] KEHC 13300 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUNGOMA
MISCELLANEOUS APPLICATION E116 OF 2025
MS SHARIFF, J
SEPTEMBER 24, 2025**

BETWEEN

MARTIN KITUYI MELU 1ST APPLICANT

BUREST GENERAL AGENCIES COMPANY LIMITED 2ND APPLICANT

AND

DAISY NABALAYO WAKOLI RESPONDENT

RULING

1. Upon hearing counsels for parties on the prayer for grant of orders of stay of execution of the consent order adopted by the subordinate court on 17.10.2024, I do note that the applicant is said to be willing to deposit $\frac{1}{2}$ of the decretal sum within 30 days in a joint account of parties advocates.
2. I have noted that the Judgment debtor is facing a show cause notice that is said to be coming up tomorrow, I am thus inclined to grant an interim order of stay of execution on condition that the proposed appellant/applicant do deposit the entire Judgment sum inclusive of costs amounting to Ksh 852, 781/- in a joint interest earning account of parties advocates within 60 days from the date hereof.
3. In the event of default, the respondent shall be at liberty to execute.
4. The applicant is directed to file and serve submissions on prayer number 2,3, and 6 within 21 days and the respondent to do so within 42 days from the date hereof.
5. Mention on 24.11.2025 to confirm compliance.

DATED AND DELIVERED AT BUNGOMA THIS 24TH DAY OF SEPTEMBER 2025

M.S. SHARIFF

JUDGE

