



Africa Merchant Assurance Co. Limited v Njuguna (Civil Miscellaneous Application E930 of 2024) [2025] KEHC 14126 (KLR) (Civ) (6 October 2025) (Ruling)

Neutral citation: [2025] KEHC 14126 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CIVIL
CIVIL MISCELLANEOUS APPLICATION E930 OF 2024**

JN MULWA, J

OCTOBER 6, 2025

BETWEEN

AFRICA MERCHANT ASSURANCE CO. LIMITED APPLICANT

AND

PETER GAKUNGA NJUGUNA RESPONDENT

RULING

1. The Applicant in the motion dated 23/09/2025 seeks an order for release of Kshs. 2 million deposited in court by the 1st Respondent on 28/11/2024 as security pending hearing and determination of an intended appeal, being a conditional order on stay of execution.
2. The 1st Respondent never filed the intended appeal and the conditional stay orders lapsed automatically. The said amount of Kshs. 2 million deposited in court so held serves no purpose as the Appeal was never filed.
3. It is in the interest of justice that the said deposit be released to the Applicant Grace Wambui Kivuri through her Advocates on record, Chirui & Chiuri Co. Advocates for onward transmissions to her.

It is so ordered.

DELIVERED DATED AND SIGNED AT NAIROBI THIS 6TH DAY OF OCTOBER, 2025.

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JANET MULWA.

JUDGE

