



Sichuan Huash Enterprise Corporation EA Limited v Stephen Reality Limited; Machua & another (Interested Parties) (Civil Suit 3 of 2020) [2025] KEHC 15139 (KLR) (23 October 2025) (Ruling)

Neutral citation: [2025] KEHC 15139 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MACHAKOS
CIVIL SUIT 3 OF 2020
RC RUTTO, J
OCTOBER 23, 2025**

BETWEEN

SICHUAN HUASH ENTERPRISE CORPORATION EA LIMITED ... PLAINTIFF

AND

STEPHEN REALITY LIMITED DEFENDANT

AND

JACINTA MUTHONI MACHUA INTERESTED PARTY

AGNES WANGECHI INTERESTED PARTY

RULING

1. By an application dated 11th May 2024, the decree holder seeks this court to issue a show cause why execution by arrest and detention should not issue against the following individuals: Pamela Achieng Olotch, Wilson Kirungie Gachanja, Andrew Lucas Rosana, Francis Mburu, Nzambu Mwendwa, and Raymond Atandi Rosana. These individuals are directors of the judgment debtor.
2. The applicant further prays that the court commits the said directors to civil jail for failing to satisfy the decree issued on 19th November 2020, which awarded a principal sum of Ksh. 151,119,764, together with accrued interest.
3. In support of the application, the decree holder states that previous efforts were made to summon the directors to appear before the court and explain how they intend to satisfy the debt. Despite being duly served and afforded multiple opportunities, the directors failed and/or neglected to attend court. Additionally, attempts to trace attachable assets have been unsuccessful, thereby necessitating the present application. This application is unopposed as no response has been filed.
4. From the court record, it is noted that on 20th May 2022 the court delivered a ruling in which it issued summons compelling Pamela Achieng Olotch, Wilson Kirungie Gachanja, Andrew Lucas Rosana,



Francis Mburu, Nzambu Mwendwa, and Raymond Atandi Rosana being known officers or members of the judgment debtor, to appear before court for examination under oath on whether the judgment debtor has any and what property or means of satisfying the decree. They were also directed to produce the company's books, papers, documents, and any other evidence reflecting the financial affairs of the judgment debtor.

5. This court further notes that the court at that moment declined to grant leave to execute against the said directors, officers or members of the judgment debtor herein personally.
6. According to the applicant, despite being served with the said orders, the listed directors failed to comply, thereby prompting the current application. I have reviewed the Affidavit of service filed and I am satisfied that service was effected by the said persons have nonetheless failed or defaulted to attend court and or provide reason for failing to attend court. The applicant's application remains uncontested and the decretal sum unpaid.
7. In the circumstance, therefore I do exercise this court's discretion by allowing the application as prayed. A notice to show cause will issue to the listed directors of the Judgment Debtor namely Pamela Achieng Olotch, Wilson Kirungie Gachanja, Andrew Lucas Rosana, Francis Mburu, Nzambu Mwendwa, and Raymond Atandi Rosana to show cause why execution by arrest and detention should not issue against them.
8. It is so ordered

DATED, SIGNED AND DELIVERED AT MACHAKOS THIS 23RD DAY OF OCTOBER, 2025.

RHODA RUTTO

JUDGE

In the presence of;

Plaintiff

Defendant

Selina Court Assistant

