

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT LODWAR

CIVIL CASE NO. E001 OF 2024

TROPICAL COOLING SYSTEMS LIMITED
APPLICANT

VERSUS

COUNTY GOVERNMENT OF TURKANA 1ST
RESPONDENT

COUNTY ATTORNEY, TURKANA COUNTY..... 2ND
RESPONDENT

RULING

1. Having listened to the chief officer Financed, and submission by Counsel it is to this court clear that the orders of the court of 1/8/2025 have been brazenly flaunted and disobeyed.
2. The court views it an obvious disobedience that the chief officer chose to come to court with no papers not even his proposal to the assembly to show that the decree in this matter is one of the payments for which Assembly's approval is sought yet the court directed that such documents be availed by 30/9/2025.
3. If not from the concession by Mr. Matheka to accommodate the judgment Debtor for additional period of 60 days, the court would have been very hesitant to accommodate the chief officer.
4. The court thus finds the chief officer in contempt, convicts him of same but suspends the execution for a period of 63 days on

conditions that, the balance of the decretal sum be paid not later than the 3/1/2026.

5. For avoidance of doubt, if there shall be a default to pay by that date, the penalty shall be activated and warrants of arrest and committal to civil jail shall issue and effected by the OCS Lodwar Police Station to have the chief officer Finance Mr. Robert Ekai Lotaruk, arrested and committed to civil jail for 30 days from the date of arrest, without further notice to Show Cause.
6. It is so ordered.

Dated, signed and delivered this 31st day of October, 2025.

Patrick J O Otieno

Judge

31/10/2025