

**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT KIAMBU**

**HCCC. MISC. CASE NO.E202 OF 2025**

SANDRA NGENO NJUE.....1<sup>ST</sup> APPLICANT  
DAVID MWANGI.....2<sup>ND</sup> APPLICANT

**VERSUS**

**BLISSMARK SERVICES LIMITED.....RESPONDENT**

**RULING**

1. This is a ruling in respect of the **Notice of Motion application dated 14<sup>th</sup> August, 2025** , in which the Applicant, **Sandra Ng'eno Njue** is seeking the following orders:-

*a) Spent.*

*b) Spent.*

*c) THAT this Honourable Court be pleased to enlarge time within which the Applicant may lodge its intended appeal against the Judgment delivered on 22<sup>nd</sup> May, 2025 in Kiambu MCCC No E171 of 2021.*

*d) THAT this Honourable Court be pleased to order a stay of execution of the Judgment delivered on 22<sup>nd</sup> May, 2025 in Kiambu MCCC No E171 of 2021 pending the hearing and*

*e) determination of the intended appeal.*

*f) THAT costs of this application be provided for.*

2. The Application is based on the grounds as set out on its face and the Affidavits of **Moses Barasa and Joseph N. Ngigi** as the **Claims Assistant of Madison Insurance** and the **Advocate on record for the Applicants** respectively sworn on the instant date.
3. The Application was served upon the Respondents as indicated in the **Affidavit of service** of **Timothy Maxwell Oyombera** sworn on 9<sup>th</sup> October, 2025 which confirms service was effected upon the Respondent's Advocates email address on 18<sup>th</sup> August, 2025 but no response has been filed.
4. The court has read through the **Notice of Motion**, the supporting Affidavits and given that the same is unopposed, the court shall exercise its discretion in its determination. The Applicants confirm that Judgment of the trial court was delivered on **22<sup>nd</sup> May, 2025** and the insurer was advised of the same on 4<sup>th</sup> June, 2025 and it proceeded to prepare an opinion for an appeal to be filed in the matter. However, the same was not approved by the Legal Manager who went on annual leave and time lapsed. They hold that the

delay is not inordinate and urges the court to exercise discretion and grant the orders sought since the delay has been sufficiently explained and the same is not so inordinate.

5. The upshot is that the application has merits and issue the following orders:-
- a) The Applicant is hereby granted thirty (30) days to lodge its intended appeal against the Judgment delivered on 22<sup>nd</sup> May, 2025 in Kiambu MCCC No E171 of 2021.*
  - b) An order a stay of execution of the Judgment delivered on 22<sup>nd</sup> May, 2025 in Kiambu MCCC No E171 of 2021 is hereby granted pending the hearing and determination of the intended appeal.*
  - c) THAT costs of this application shall be in the cause.*

It is so ordered.

**RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU  
THIS 13<sup>TH</sup> DAY OF NOVEMBER, 2025.**

**D. O. CHEPKWONY  
JUDGE**