

**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**MILIMANI LAW COURTS**  
**COMMERCIAL & TAX DIVISION**  
**MISC. APPLICATION NO. E.038 OF 2026**

**IN THE MATTER OF SECTIONS 880, 885 AND 888 OF THE COMPANIES  
ACT, 2015, LAWS OF KENYA**

**AND**

**IN THE MATTER OF AN APPLICATION FOR EXTENSION OF TIME FOR  
REGISTRATION OF A FURTHER FIXED AND FLOATING DEBENTURE  
OVER ALL THE EXISTING AND FUTURE ASSETS IN FAVOUR OF EQUITY  
BANK (KENYA) LIMITED**

**KENAGRO SUPPLIERS LIMITED ..... APPLICANT**

**RULING (EX PARTE)**

1. The Applicant's Notice of Motion dated 20<sup>th</sup> January 2026 seeks extension of time to register a **Further Fixed and Floating Debenture dated 15<sup>th</sup> December 2025** in favour of **Equity Bank (Kenya) Limited**.
2. The application is supported by affidavits of Jacklyne Wanjiru, Advocate Kinyanjui, and John Kuria Muhia (Director), both dated 20<sup>th</sup> January 2026.
3. From the affidavits, it is uncontested that stamp duty was paid on 11<sup>th</sup> December 2025, the instrument was stamped on

15<sup>th</sup> December 2025, but registration was not lodged within the statutory 30 days as required under the Companies Act, 2015.

4. The explanation offered is inadvertence on the part of counsel. The Applicant and its director depose that unless time is enlarged, the debenture risks being rendered **void**, and the Bank will not release the intended financing without a valid registration.
5. Further, from the record, I find that no prejudice to third parties has been demonstrated, and the application was filed promptly upon discovery of the lapse.
6. Under **Sections 880, 885, and 888** of the Companies Act, the Court has discretion to extend time for late registration of a charge where justice so requires.
7. On the material before me, I am satisfied that sufficient cause has been shown and that the interests of justice favour allowing the present application.
8. Accordingly, the Court makes the following orders:
  - i. Time for registration of **Further Fixed and Floating Debenture dated 15<sup>th</sup> December 2025** in favour of **Equity Bank (Kenya) Limited** is hereby extended by thirty (30) days from the date of this Order.
  - ii. There shall be no orders as to costs.
9. It is so ordered.

**SIGNED, DATED, and DELIVERED IN VIRTUAL COURT THIS**

**21<sup>ST</sup> JANUARY 2026**

A handwritten signature in blue ink, appearing to read 'Ado Moses', is written over a light-colored rectangular background.

**ADO MOSES**

**JUDGE**