

**REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT BUNGOMA
CIVIL APPEAL 3 OF 2020**

THREE STAR CONTRACTORS..... APPELLANT

VERSUS

DHARMESH PRAJAPATIS T/A
AJAY VANDANAH ENTERPRISES.....RESPONDENT

RULING

1. Upon the Applicant's notice of motion dated 11.2.2026 coming up for directions before me this 13th February 2026, I have duly perused the same, the affidavit in support thereof sworn by Rodgers Murunga Wamukoya on even date and the enclosures attached thereto and I do note that the applicant has moved this court which is an appellate court yet in the Certificate of urgency issued by Joseph Wafula Sichangi Esquire advocate, the intention to approach the magistrate court is disclosed.
2. Pursuant to the provision of Section 18 of the Civil Procedure Rules I do hereby transfer this application to the trial court for hearing and determination.
It is hereby so ordered.

Delivered, signed, and dated at Bungoma this 13th day of February, 2026.

MWANAISHA S. SHARIFF

JUDGE