



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAKURU

PETITION E020 OF 2023

RITA MUTHONI KAGIRI -----1ST
PETITIONER/APPLICANT
STEPHEN KUNG'U KAGIRI ----- 2ND
PETITIONER/APPLICANT
STEPHEN KUNG'U KAMAU ----- 3RD
PETITIONER/APPLICANT
STEPHEN KUNG'U KAMAU ----- 4TH
PETITIONER/APPLICANT

VERSUS

KAGIRI KUNG'U ----- 1ST
RESPONDENT
THE COMPANY SECRETARY, KUKA INVESTMENTS
LIMITED ----- 2ND
RESPONDENT

AND

KUKA INVESTMENTS
LIMITED -----1ST INTERESTED PARTY/3RD
RESPONDENT
REGISTRAR OF
COMPANIES -----2ND INTERESTED PARTY/4TH

RESPONDENT

RULING

1. By Notice of Motion dated 4/12/2025 the Petitioners pray for reliefs as hereunder;-

1. THAT this Honourable Court be pleased to issue a Notice directing to the 1st, 2nd, 3rd and 4th Contemnors to show cause why they should not be committend to serve 7 months imprisonment for disobeying this court's orders and decree issued on 15th January 2025 arising from the Judgement delivered on 16th December 2024.(sic)

2. THAT this Honourable Court do find and hold that the 1st, 2nd, 3rd and 4th Contemnors are in contempt of court orders by disobeying and defying the Decree issued by the court on 15th January 2025 arising from the Judgement delivered on 16th December 2024 and do direct that;

a) The Contemnors are arrested and committed to civil jail for a period not exceeding six (6) months for contempt of the Decree issued by the Court on 15th January 2025 arising from the Judgement delivered on 16th December

2024; and

b) The Contemnors do pay a fine of Kenya Shillings Two Hundred Thousand (Kshs. 200,000/=) or such sums of money that this Honourable Court may, direct and the amounts be deposited in court.

3. THAT the 1st, 2nd, 3rd and 4th Contemnors to meet the costs of this Application.

2. The Application is supported by Affidavit of the 2nd Petitioner (Stephen Kung'u Kamau). Return of service of the Application is filed but no reply was made.
3. The Deputy Registrar of this Court is ordered to issue notices to the Respondents requiring them to appear before this court to show cause why should not be punished as prayed for alleged disobedience or defiance of court orders.
4. The matter is fixed for mention before the Deputy Registrar on 27/2/2026 for compliance with the orders.

J. M. NANG'EA, JUDGE.

**Ruling delivered virtually this 13th day of February,
2026.**

In the presence of:

Petitioners' Advocate, Mr. Munene for Mr. Muia

Respondent's Advocate, Absent

Court Assistant (Jeniffer)

J. M. NANG'EA, JUDGE.

ORIGINAL