

**REPUBLIC OF KENYA**

**IN THE HIGH COURT AT NAIROBI**

**MILIMANI COMMERCIAL AND TAX DIVISION**

**MILIMANI LAW COURT**

**MISCELLANEOUS APPLICATION NO. E394 OF 2026**

**EXPARTE**

**IN THE MATTER OF SECTION 885 OF THE COMPANIES ACT,  
2015 NO. 17 LAWS OF KENYA**

**AND**

**IN THE MATTER OF LOAN FACILITY BY GULF AFRICAN BANK  
LIMITED TO GOODMED HEALTHCARE LIMITED (“THE  
BORROWER”**

**AND**

**IN THE MATTER OF AN APPLICATION TO EXTENSION OF  
TIME WITHIN WHICH TO REGISTER A COMPANY CHARGE IN  
FAVOUR OF  
GULF AFRICAN BANK LIMITED AGAINST TATAWWAR  
INVESTMENT LIMITED COMPANY FILE**

**GULF AFRICAN BANK**

**LIMITED..... APLICANT**

**RULING**

1. The application before the Court is by way of Notice of Motion dated 8<sup>th</sup> April 2026.
2. The application seeks the following reliefs:
  - a) *Spent.*
  - b) *THAT this Honourable Court be pleased to grant an order extending the time within which to register the Company Charge dated 3<sup>rd</sup> March 2026 created by **Tatawwar Investment Limited** to secure loan facility from **Gulf African Bank Limited** to the borrower **Goodmed Healthcare Limited** against property known as NAIROBI/BLOCK 125/1006 & NAIROBI/BLOCK 125/1007 which charge has not been lodged for registration against the Company file of **Tatawwar Investment Limited** in the office of the Registrar of Companies within the prescribed 30 day period.*
  - c) *THAT the costs of this application be in the cause.*
3. The application is supported by the affidavit of **NJUNG'E EVANSON NDUNG'U** an Advocate of the High Court of

Kenya. He practices as such with the law firm of **Daniel & Kenneth Advocates LLP**.

4. He deponed that he received instructions from the Bank to create a charge in respect of a mortgage facility for the **Tatawwar Investment Limited**. The sum to be secured was Ksh56,000,000/=.
5. The charge was duly created and registered. There was a delay in registration at the office of the Registrar of Companies. The time frame for such registration is 30 days. The same has lapsed.
6. The reasons advanced are the usual reasons of delays due to the migration of registration formalities from a manual system to a digital system, at the Lands Registry.
7. This Court has powers under **Section 888 of the Companies Act** to grant the orders sought.
8. The Court is persuaded to allow the application dated 8<sup>th</sup> April 2026.
9. As to costs the same will be in the cause as prayed.

**Determination**

10. The Applicant's Application by way of a Notice of Motion dated 8<sup>th</sup> April, 2026 is allowed as follows;

a) *THAT this Honourable Court HEREBY grants an order extending the time within which to register the Company Charge dated 3rd March 2026 created by **Tatawwar Investment Limited** to secure loan facility from **Gulf African Bank Limited** to the borrower **Goodmed Healthcare Limited** against property known as NAIROBI/BLOCK 125/1006 & NAIROBI/BLOCK 125/1007 which charge has not been lodged for registration against the Company file of **Tatawwar Investment Limited** in the office of the Registrar of Companies within the prescribed 30 day period. The time period is extended by a period of Thirty (30) days from the date of this Ruling.*

b) *THAT the costs of this application be in the cause.*

11. THAT It is so ordered.

12. THAT this file be marked as closed.

**DATED, SIGNED AND DELIVERED AT MILIMANI THIS 16<sup>TH</sup>  
DAY OF APRIL, 2026.**

**NJOROGE BENJAMIN K.  
JUDGE**

**In the presence of;**

Miss Wambasa for the Applicant.

Mr. Peter Wabwire - Court Assistant.