

2026

**REPUBLIC OF KENYA**

**IN THE HIGH COURT AT NAIROBI**

**MILIMANI COMMERCIAL AND TAX DIVISION**

**MILIMANI LAW COURT**

**MISCELLANEOUS APPLICATION NO. E401 OF 2026**

**IN THE MATTER OF COMPANIES ACT, 2015**

**AND**

**IN THE MATTER OF AN APPLICATION TO EXTEND TIME TO  
REGISTER A CHARGE BY STELEC KENYA LIMITED**

**VICTORIA COMMERCIAL BANK PUBLIC LIMITED**

**COMPANY.....**

**.... 1<sup>ST</sup> APPLICANT**

**VERSUS**

**STELEC KENYA LIMITED.....**

**2<sup>ND</sup> APPLICANT**

**RULING**

1. The application coming up for ruling is the one dated 9.4.2026. In the said Notice of Motion, the Applicants seek the following orders:

- 1) *Spent.*

- 2) This Honourable Court be pleased to extend the time within which to register with the registrar of Companies the Charge dated 3<sup>rd</sup> December 2025 over property Kajjado/Kaputiei North/148614 by Stelec Kenya Limited created in favour of Victoria Commercial Bank Public Limited Company for a further period of 30 days with effect from the date of issue of the order to be made herein or such other period as the court shall deem fit.*
- 3) The costs of this application be in the cause.*
2. The Application is supported by the affidavit of **PERPETUA MBURUGU** sworn on 9.4.2026. She depones that she is an Advocate of the High Court of Kenya. She practices under the law firm of **G & A Advocates LLP**.
3. She received instructions on 10<sup>th</sup> November 2025 to prepare and register a charge over Kajjado/Kaputiei North/148614 in favour of the 1<sup>st</sup> Applicant. The instructions were effected upon and a charge prepared and registered at the Kajjado Lands Registry on 2.4.2026.
4. However, the charge which was prepared on 3.12.2025 could not be registered at the Companies Registry. This

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was because it was overdue the period of 30 days provided for registration by **Section 878 of the Companies Act.**

5. The Court has powers under **Section 888 of the Companies Act**, to extend the time for registration.
6. The reasons for delay are attributed to the delays of processes at the Land Registry at Kajiado in registration of the charge. These reasons are plausible and excusable.
7. The Court is persuaded to allow the application and extend time by 30 days. The costs will be in the cause.

### **Determination**

8. The Applicants' application by way of a Notice of Motion dated 9<sup>th</sup> April, 2026 is allowed in the following terms;
  - a) *This Honourable Court HEREBY extends the time within which to register with the registrar of Companies the Charge dated 3<sup>rd</sup> December 2025 over property Kajiado/Kaputiei North/148614 by **Stelec Kenya Limited** created in favour of **Victoria Commercial***

***Bank Public Limited Company*** for a further period of  
30 days with effect from the date of this Ruling.

- b) *The costs of this application be in the cause.*
9. The file is HEREBY marked as closed.
10. It is so ordered.

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

**NJOROGE BENJAMIN K.  
JUDGE**

**In the presence of;**

Miss Nyambura the Applicants.

Mr. Peter Wabwire - Court Assistant.