

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT GARISSA
COMM.CIVIL SUIT NO.E001 OF 2025

CHEMOQUIP

LIMITED.....PLAINTIFF/APPLICANT

VERSUS

COUNTY GOVERNMENT OF

GARISSA.....DEFENDANT/RESPONDENT

RULING

1. The Applicant herein came to this court vide a plaint dated 9-5-2025 seeking payment of a sum of Kshs. 26,737,320.37 being a balance of monies accruing out of medical supplies made to the Respondents by the Applicants at the Respondent's request. The Applicant further prayed for interest on the said amount from the date of invoice until full payment plus costs.
2. Despite service of Summons to Enter Appearance and File Defence, the Respondents did not file any defence nor enter appearance. Consequently, the Applicant moved this court vide a Notice of Motion dated 15-10-2025 seeking leave to apply for entry of judgment against the Respondent. Leave was subsequently granted on 13-11-2025.
3. Consequently, the Applicant has now sought for entry of a default judgment pursuant to **Order 10 rule 4 of the Civil Procedure Rules** which provides for entry of a default judgment where there is no appearance entered in respect of a liquidated claim. Indeed, there is no appearance entered nor defence filed.

4. The Applicant having met the requisite requirements for entry of a default judgment, I have no choice but to allow the application as prayed in the plaint.

Dated, signed and delivered virtually this **16th** day of **April 2026**

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J.N.ONYIEGO

JUDGE

ORIGINAL