

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT VOI
CIVIL APPEAL NO. 26 OF 2018

JOTHAM MWARIRI NJAMI

BEN DAVID MAHUI T/A BEMWA STATIONERS

CHANIA COOL BUS SERVICE.....

.....APPELLANT

=VERSUS=

ANDREW KIMUTAI KANDIE.....

RESPONDENT

RULING

1. The Appellants are seeking an order of status quo for 14 days to chart the way forward.
2. The Respondent who filed this case in 2016 has been waiting for justice for over 10 years.
3. Justice is a two-edged sword and therefore the courts must consider the predicament of both parties.
4. I find no reason to maintain the status quo in this case.

5. I decline to grant the oral application to maintain the status quo.
6. The Appellants to be supplied with copies of the proceedings and the judgment upon payment.
7. The Appellants have a right to move to the Court of Appeal for any orders.

Dated, signed and delivered this 22nd day of April 2026 in open court at Voi High Court.

ASENATH ONGERI

JUDGE

In the presence of:-

Court Assistant: Millicent/Eghwa

Mr. Mathenge for the Appellants

Miss Langat for the Respondent

Mr. Masore for the Auctioneer