



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
HCC NO. 129 OF 2012
MUITA THIRITKWA.....PLAINTIFF
VERSUS
ABDUL RAHIM DAWOOD.....DEFENDANT

R U L I N G

This application is dated 30th June, 2014 and seeks orders:

1. ***THAT the honourable Court be pleased to grant the Plaintiff leave to amend the Plaintiff in terms of the annexed amended Plaintiff.***
2. ***THAT costs of the Application be in the cause.***

It has, inter alia, the following grounds:

(a) THAT for the full determination of the questions in controversy, there is need to amend the Plaintiff.

(b) THAT there is need of leave of the court to amend the Plaintiff since the pleadings are closed.

(c) THAT the proposed amendments will not prejudice the Defendant.

(d) THAT it is in the interest of justice that the Plaintiff be allowed to amend the Plaintiff.

During interpartes hearing on 25.11.2014 the parties, by consent, agreed to have the application allowed. In the circumstances, it is hereby allowed.

It is also directed as follows:

1. ***The amended plaintiff to be filed within 14 days from today.***
2. ***The Respondent, if necessary, is allowed to put in an amended defence within 14 days after the amended plaintiff is served upon him by the plaintiff.***

It is so ordered.

Delivered in Open Court at Meru this 25th day of November, 2014 in the presence of:

Cc. Daniel

Rimita h/b Mwirigi for Plaintiff/Applicant

Mutunga for Defendant/Respondent

P. M. NJORGE

JUDGE