



**Kariuki t/a Direct O Auctioneers v Sheracco Savings and Credit Society Limited & 2 others
(Miscellaneous Application 024 of 2024) [2025] KEELRC 774 (KLR) (11 March 2025) (Ruling)**

Neutral citation: [2025] KEELRC 774 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAKURU
MISCELLANEOUS APPLICATION 024 OF 2024**

**J RIKA, J
MARCH 11, 2025**

BETWEEN
GEOFFREY I KARIUKI T/A DIRECT O AUCTIONEERS APPLICANT
AND
SHERACCO SAVINGS AND CREDIT SOCIETY LIMITED ... 1ST RESPONDENT
KARUTURI LIMITED (UNDER RECEIVERSHIP) 2ND RESPONDENT
CFC STANBIC LIMITED 3RD RESPONDENT

RULING

1. The application dated 5th March 2025 is not clear to the Court.
2. It is drawn and signed by Naomi Muriithi & Co, indicated to be the Advocates for the Respondent.
3. There are 3 Respondents named, and it is not clear which Respondent is represented by Naomi Muriithi, or indeed whether any of the Respondents is a decree-holder.
4. Further, the supporting affidavit, sworn by Weldon Kirui, makes reference to “the said defendant.”
5. The Notice of Motion makes reference to the property “belonging to the defendant attaching.”
6. There is no Party to the proceedings who is named as a defendant.
7. Weldon Kirui identifies himself as the Applicant herein, in his supporting affidavit. The Applicant in the title to the Application, is identified as Geoffrey I. Kariuki t/a Direct O. Auctioneers.
8. The registration number in the Application, is indicated as No. 024 of 2024. The Application forwarded to the Judge from the Registry is referenced as No. E024 of 2024.
9. The orders sought cannot be granted ex parte, with this lack of clarity.



It is Ordered: -

- a. The application shall be served upon the Intended Respondents, and heard inter partes, on 26th March 2025.
- b. The Intended Respondents may file and serve their responses, within 7 days of service.
- c. The Applicant may make any amendments to the application to clarify the issues flagged above.

DATED, SIGNED AND DELIVERED ELECTRONICALLY AT NAKURU, THIS 11TH DAY OF MARCH 2025.

JAMES RIKA

JUDGE

