



REPUBLIC OF KENYA



**Kanyari & another v Jebet (Civil Appeal 27 of 2024)
[2025] KEHC 910 (KLR) (30 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 910 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CIVIL APPEAL 27 OF 2024
SM MOHOCHI, J
JANUARY 30, 2025**

BETWEEN

PAUL MAINA KANYARI 1ST APPELLANT

**2NK COOPERATIVE SAVINGS CREDIT SOCIETY LTD A.K.A 2NK
SACCO 2ND APPELLANT**

AND

VIVIAN JEBET RESPONDENT

RULING

1. The Court recalls its directions as made on the 30th August 2024 as follows:
 - i. The Applicant was to serve the Application upon the Respondent and file a return of service.
 - ii. The Applicant was to file and serve written submissions by the 5th September, 2024.
2. The Applicant has neither demonstrated service upon the Respondent or filed any written submissions.
3. Being as it may, the Applicant was beseeching the Court to exercise discretion and grant a stay against execution of judgment decree.
4. This Court is under the circumstances constrained to dismiss the application dated 26th August, 2024.
5. The Applicant/Appellant shall cause the substantive appeal to be mentioned for admission and directions within the next 60 days from the date hereof.

RULING DATED, SIGNED AND DELIVERED ON THIS 30TH DAY OF JANUARY 2025

MOHOCHI S.M



JUDGE

In the Presence of:

Schola – Court Assistant

M/s Chemutai holding brief for Cherotich for Applicant

Respondents - absent

