



**Kangethe v Njau (Miscellaneous Application E440 of 2023)  
[2025] KEHC 4060 (KLR) (Commercial & Admiralty) (27 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 4060 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI COMMERCIAL COURTS)  
COMMERCIAL AND ADMIRALTY  
MISCELLANEOUS APPLICATION E440 OF 2023**

**F GIKONYO, J**

**MARCH 27, 2025**

**BETWEEN**

**JEDIDA WANJIRU KANGETHE ..... APPLICANT**

**AND**

**LEONARD NJOGU NJAU ..... RESPONDENT**

**RULING**

**Interim stay of execution**

1. The applicant has applied for interim measure of relief in form of interim stay of execution of the judgment pending hearing of his application for stay and to liquidate the decretal sum in instalments.
2. The applicant must show sufficient cause for stay of execution of the decree to be granted?
3. His application is towards satisfaction of the decree, which requires an inquiry by the court on whether there is sufficient cause to order payment of the decretal sum in instalments. The applicant's financial means to pay the decretal sum is also an important consideration.
4. Without determining anything, from the submission by the legal counsel for the judgment-debtor, the J/D has been suspended from practice. Therefore, to give his application an opportunity to be considered by the court, I order that there be a stay of execution of the decree pending the hearing of his application on condition that the applicant pays a sum of Kshs. 500,000 to the D/H within 45 days of today.

**DATED, SIGNED AND DELIVERED THROUGH MICROSOFT TEAMS ONLINE  
APPLICATION THIS 27<sup>TH</sup> DAY OF MARCH, 2025.**

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**F. Gikonyo M**

**Judge**

In the presence of: -

1. Jaoko for plaintiff
2. Kinyanjui for applicant
3. CA - Godfrey

