



REPUBLIC OF KENYA



**KENYA LAW**  
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**Tanui v Texas Cancer Centre Limited (Civil Suit 2 of 2019)  
[2025] KEHC 11999 (KLR) (13 August 2025) (Judgment)**

Neutral citation: [2025] KEHC 11999 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT ELDORET  
CIVIL SUIT 2 OF 2019  
RN NYAKUNDI, J  
AUGUST 13, 2025**

**BETWEEN**

**MOSES KIPTARBEI TANUI ..... PLAINTIFF**

**AND**

**TEXAS CANCER CENTRE LIMITED ..... DEFENDANT**

**JUDGMENT**

1. Before this Court is a Plaint dated 11<sup>th</sup> January 2019. The Plaintiff prayed for judgement to be entered against the Defendant for;
  - a. An amount of Kshs. 1,821,396.00 being the cumulative unpaid and underpaid rent for the ground floor, 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors for the months of June, July, August and September 2016.
  - b. An amount of Kshs. 128,376.00 calculated at Kshs. 5,349.00 monthly underpaid rent for the ground floor, 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Floors as at the time the Defendant vacated the premises from 1<sup>st</sup> May 2016 to 1<sup>st</sup> May 2018.
  - c. An amount of Kshs. 817,955.00 calculated at Kshs. 90,883.00 monthly underpaid rent for the ground floor, 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Floors as at the time the Defendant vacated the premises from 1<sup>st</sup> May 2018 to 10<sup>th</sup> January 2019.
  - d. An amount of Kshs. 244,997,310.132 being loss of future income as a result of the Defendant breaching the lease contract.
  - e. General damages.
  - f. Costs and interests
2. The Defendant was duly served but has never entered appearance or filed Defense and an entry of Judgement as governed under *Civil Procedure Rules* particularly Order 12 Rule 7 confers this Court



with jurisdiction to enter Judgement on the liquidated sums as prayed for in the Plaint dated 11<sup>th</sup> January, 2019 with costs.

3. It is so ordered.

**DATED, SIGNED AND DELIVERED VIA EMAIL AT ELDORET THIS 13<sup>TH</sup> AUGUST 2025**

.....

**R. NYAKUNDI**

**JUDGE**

M/s J. N. Njuguna & Co Advocates

M/s Gicheru & Co Advocates

