



REPUBLIC OF KENYA



KENYA LAW
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**Hussein Dairy Limited v Southern Credit Banking Corporation (Civil Suit 252 of 2008)
[2024] KEHC 2870 (KLR) (Commercial and Tax) (21 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2870 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI COMMERCIAL COURTS)
COMMERCIAL AND TAX
CIVIL SUIT 252 OF 2008
A MABEYA, J
MARCH 21, 2024**

BETWEEN

HUSSEIN DAIRY LIMITED PLAINTIFF

AND

SOUTHERN CREDIT BANKING CORPORATION DEFENDANT

RULING

1. Vide a Motion on Notice dated 5/6/2023, the plaintiff sought that a joint accountant be appointed to recalculate the interest due in the facility as ordered by the Court in its judgment dated 4/9/2020.
2. The Court allowed the application and made the order on 10/7/2023. Pursuant thereto, Francis Kieti & Associates, Certified Public Accountants, were appointed to do the recalculation. Vide a report dated 18/9/2023, which was filed in Court, the said firm recalculated the total recoverable interest as Kshs. 36,322,025/=.
3. On 18/3/2024, the parties appeared before me and urged that the said amount be ordered as payable to the plaintiff.
4. Accordingly, I enter judgment and direct that the plaintiff be paid the said sum of Kshs. 36,322,025/= in accordance with the judgment of the Court made on 4/9/2020.
5. A decree to that effect does issue.

It is so ordered.

DATED AND DELIVERED AT NAIROBI THIS 21ST DAY OF MARCH, 2024.

A. MABEYA, FCI Arb

JUDGE

