



**Rabach Shoe Co Ltd v Kenya Credit Traders Ltd (Miscellaneous Civil Application 52 of 1991) [2024] KEHC 6452 (KLR) (31 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6452 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CIVIL APPLICATION 52 OF 1991**

**RE ABURILI, J**

**MAY 31, 2024**

**BETWEEN**

**RABACH SHOE CO LTD ..... APPLICANT**

**AND**

**KENYA CREDIT TRADERS LTD ..... RESPONDENT**

**RULING**

1. This suit was initiated by way of an application dated 3<sup>rd</sup> July 1993, over 30 years ago, to have Kisumu CMCC No. 935 of 1990 transferred to the High Court for hearing and determination.
2. The file has remained open forever. It is before me for closure as the matter was still pending and was only discovered during our case audit.
3. As the application dated 3<sup>rd</sup> July 1993 has never been prosecuted and for laches, it is hereby dismissed for want of prosecution.
4. This file is closed for archiving.
5. I so order.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 31<sup>ST</sup> DAY OF MAY, 2024**

**R. E. ABURILI**

**JUDGE**

