



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

MILIMANI LAW COURTS

COMMERCIAL & ADMIRALTY DIVISION

CIVIL SUIT NO. 399 OF 2013

VINCENT GICHOMO t/a

KICHE GENERAL ENGINEERING WORKS.....PLAINTIFF

VERSUS

BOARD OF GOVERNORS BABA DOGO SECONDARY SCHOOL....DEFENDANT

RULING

1. This suit was filed by the applicant on *12th September 2013*. The plaintiff's claim is for *Ksh 3,039,751.40* being money owed by the defendant in respect of construction of two class rooms.
2. Since the last action in this matter was on *19th January 2016* the same was fixed for the plaintiff to show cause why this suit should not be dismissed for want of prosecution.
3. The plaintiff filed an affidavit setting out reason why the matter has not been prosecuted. Notably the plaintiff stated that the file had been reported as missing at the court registry and this had hampered prosecution of the case.
4. In view of what is stated the court finds that cause has been shown why this suit should not be dismissed.
5. The *jurisdiction of this matter fall under the Chief Magistrate's Court*. I hereby *transfer this matter to the Chief Magistrate's Court Milimani* for disposal.
6. It is so ordered.

DATED, SIGNED and DELIVERED at NAIROBI this 29th day of November, 2018.

MARY KASANGO

JUDGE

Ruling read and delivered in open court in the presence of:

Court Assistant.....Sophie

..... for the Plaintiff

..... for the Defendant

MARY KASANGO

JUDGE



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