



REPUBLIC OF KENYA

IN THE CO-OPERATIVE TRIBUNAL

AT NAIROBI

TRIBUNAL CASE NO. 115 OF 2004

RWAMA FARMERS CO-OP. SOCIETY LTD.....CLAIMANT

VERSUS

DAVID MUNENE.....RESPONDENT

RULING

Matter for determination is a Notice to Show Cause dated 23/8/2019 for an amount of Kshs. 223,199/- . The same is opposed with a replying affidavit of the respondent dated 30/9/2019, which indicates that the Respondent had an agreement with the claimant for deduction from the delivering of cherries. We have carefully considered the Notice to Show Cause and the Replying Affidavit and note that it is not clear how much deductions were made from the coffee cherries and proceeds there from.

We, therefore order the claimant to give accounts of the amounts recovered so far and the amount owing, noting that this is a very old matter dating back to the 11/6/2004, when the matter was last in the tribunal.

We note that judgment as entered in 2004 but it is not clear what has been paid to date and the amount in the Notice to show cause has been disputed.

We, are therefore unable to issue a ruling based on the Notice to show cause and the replying affidavit without having further and better particulars,

Accounts to be filed and served within 21 days herein.

Orders to apply to 125 of 2004, 128 of 2004, 118/2004, 122/04, 115/04 and 124/04.

Read and delivered in open court, this 7th of **November** 2019

In the presence of:

Claimant: Miss Obwori holding brief for Gitonga Muriuki for the claimant.

Respondent: Non-appearance.

Court Assistant: Leweri and Buluma.

B.Kimemia - **Chairman-signed**

R.Mwambura – **Member-signed**

P.Swanya - **Member-signed**



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