



Case Number:	Civil Case 129 of 2012
Date Delivered:	25 Nov 2014
Case Class:	Civil
Court:	Environment and Land Court at Meru
Case Action:	Ruling
Judge:	Peter Muchoki Njoroge
Citation:	Muita Thiritkwa v Abdul Rahim Dawood [2014] eKLR
Advocates:	Rimita h/b Mwirigi for Plaintiff/Applicant Mutunga for Defendant/Respondent
Case Summary:	-
Court Division:	Land and Environment
History Magistrates:	-
County:	Meru
Docket Number:	-
History Docket Number:	-
Case Outcome:	Application allowed
History County:	-
Representation By Advocates:	Both Parties Represented
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-

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REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

HCC NO. 129 OF 2012

MUITA THIRITKWA.....PLAINTIFF

VERSUS

ABDUL RAHIM DAWOOD.....DEFENDANT

R U L I N G

This application is dated 30th June, 2014 and seeks orders:

1. ***THAT the honourable Court be pleased to grant the Plaintiff leave to amend the Plaint in terms of the annexed amended Plaint.***
2. ***THAT costs of the Application be in the cause.***

It has, inter alia, the following grounds:

(a) THAT for the full determination of the questions in controversy, there is need to amend the Plaint.

(b) THAT there is need of leave of the court to amend the Plaint since the pleadings are closed.

(c) THAT the proposed amendments will not prejudice the Defendant.

(d) THAT it is in the interest of justice that the Plaintiff be allowed to amend the Plaint.

During interpartes hearing on 25.11.2014 the parties, by consent, agreed to have the application allowed. In the circumstances, it is hereby allowed.

It is also directed as follows:

1. ***The amended plaint to be filed within 14 days from today.***
2. ***The Respondent, if necessary, is allowed to put in an amended defence within 14 days after the amended plaint is served upon him by the plaintiff.***

It is so ordered.

Delivered in Open Court at Meru this 25th day of November, 2014 in the presence of:

Cc. Daniel

Rimita h/b Mwirigi for Plaintiff/Applicant

Mutungu for Defendant/Respondent

P. M. NJOROGE

JUDGE



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