



Case Number:	Civil Suit 399 of 2013
Date Delivered:	29 Nov 2018
Case Class:	Civil
Court:	High Court at Nairobi (Milimani Commercial Courts Commercial and Tax Division)
Case Action:	Ruling
Judge:	Mary Muhanji Kasango
Citation:	Vincent Gichomo t/a Kiche General Engineering Works v Board of Governors Baba Dogo Secondary School [2019] eKLR
Advocates:	-
Case Summary:	-
Court Division:	Commercial Tax & Admiralty
History Magistrates:	-
County:	Nairobi
Docket Number:	-
History Docket Number:	-
Case Outcome:	-
History County:	-
Representation By Advocates:	-
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-

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**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 *12<sup>th</sup> 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 *19<sup>th</sup> 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 29<sup>th</sup> 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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