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SNO: 480/2021
FMP.

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
COMMERCIAL & TAX DIVISION
MISC. APPLI. CAUSE NO. E304 OF 2021

ENZYNE CREATIONS LIMITED PLAINTIFF

VERSUS

CHINA QINGJIAN INTERNATIONAL (K) LTD. DEFENDANT

IN COURT (VIRTUALLY) ON 6TH JUNE, 2021 BEFORE
THE HONOURABLE MR. JUSTICE J. MATIVO

ORDER

APPLICATION FOR ORDERS:

1. THAT the MR. ANYONY LUBULELLAH be appointed as sole arbitrator to hear determine the dispute between ENZYNE CREATIONS LTD and CHINA QINGJIAN INTERNATIONAL GROUP (K) LTD in respect of the Contract for provision of various services and construction materials with regard to the construction of Ngong Road whose employer is Kenya Urban Roads Authority.
2. THAT in the alternative the court do direct the Chairman of Chartered Institute of Arbitrators Kenya to appoint an Arbitrator within 7 days to hear determine the dispute between ENZYNE CREATIONS LTD and CHINA QINGJIAN INTERNATIONAL GROUP (K) LTD in respect of the Contract for provision of various services and construction materials with regard to the construction of.
3. THAT the court do give such directions and orders as may be necessary of effect the appointment of an Arbitrator to hear determine the dispute ENZYNE CREATIONS LTD and CHINA QINGJIAN INTERNATIONAL GROUP (K) LTD in respect of the Contract for provision of various services and construction materials with regard to the construction of Ngong road whose employer is Kenya Urban Road Authority.

UPON READING the Originating Summons dated 26th April 2021 and presented to the Honourable Court by the Counsel for the Applicants under **Section 12(9) (a)** of the Arbitration Act, 1995, **Rule 3 (1)** of the Arbitration Rules, 1997 and **Article 159 (2) (c)** **Section 3A** of Civil Procedure Act, Order 46, rule 20 of Civil Procedure Rules. **AND UPON READING** the supporting affidavit of **ENG. EVANS OMARI** sworn on 26th April 2021 and annexures thereto. **AND UPON HEARING** the Counsel for the Applicant

and Applicant and Counsel for the Respondent. **AND WHEREAS** this matter coming up for delivery of Ruling on 6th June, 2021:

IT IS HEREBY ORDERED:

1. THAT the Chairman of Chartered Institute of Arbitrators Kenya be and is hereby directed to appoint an Arbitrator within 7 days to hear determine the dispute between ENZYNE CREATIONS LTD and CHINA QINGJIAN INTERNATIONAL GROUP (K) LTD in respect of the Contract for provision of various services and construction materials with regard to the construction of.
2. THAT the Chairman of the Chartered Institute of Arbitrators to appoint an arbitrator within 10 days from the date of this order to hear and determine the dispute between ENZYNE CREATIONS LTD and CHINA QINGJIAN INTERNATIONAL GROUP (K) LTD.
3. THAT no orders as to costs.

GIVEN under my hand and the Seal of this Honourable Court at Nairobi this 6th day of June, 2021.

ISSUED at **NAIROBI** this day of 2021.




DEPUTY REGISTRAR
HIGH COURT OF KENYA, NAIROBI
MILIMANI COMMERCIAL & TAX DIVISION

