**Omar v Gordhanbhai and another**

**Division:** High Court of Kenya at Nairobi

**Date of judgment:** 13 November 1974

**Case Number:** 1820/1972 (13/75)

**Before:** Harris J

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**Sourced by:** LawAfrica

*[1] Civil Practice and Procedure – Interrogatories – Principles on which allowed.*

**Editor’s Summary**

The plaintiff in a running-down action applied for leave to deliver interrogatories concerning the

conditions under which the accident happened and the plaintiff’s injuries and damage.

**Held –**

(i) interrogatories may establish facts but not evidence and what case may be met;

( ii) the questions concerning the conditions under which the accident happened would be allowed.

Order accordingly.

**Case referred to Judgment:**

(1) *Aggarwal v. Official Receiver*, [1967] E.A. 585.