

**NYALI PRIMARY SCHOOL & KINDERGARTEN**

**Links Road - Nyali**

**P. O. Box 81050,**

**Mombasa.**

**Tel: 041-471120, Fax: 041-475632**

***The Mombasa Parents Club***

Date: 22.09.2023

All Members  
Mombasa Parents Club  
The Nyali School  
P.O Box 81050 80100  
Mombasa

Dear Members,

**RE: UPDATE ON COURT CASES TOUCHING ON THE HOLDING OF THE CLUB'S ANNUAL GENERAL MEETING.**

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Warm greetings from the Mombasa Parents Club. The Board of Management wishes to update our esteemed members as follows:

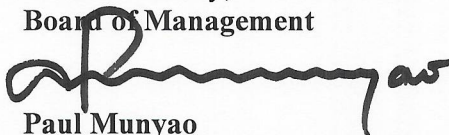
1. The Club has not been able to hold its annual general meeting because of orders of restraining injunction issued in the case of **Mombasa Chief Magistrate's Court Civil Case Number 496B of 2022 Ahmed Ali Twahir versus Mombasa Parents Club.**
2. Through the concerted efforts of our legal team, a number of members of the Club and the Board of Management, our member Mr Ahmed Ali Twahir agreed to a withdrawal of the suit in order to pave way for the holding of the Annual General Meeting of the Members of the Club in accordance with the provisions of the Constitution of the Club.
3. Therefore, on 4<sup>th</sup> September 2023, a consent order was recorded in Court marking the case by Mr Ahmed Ali Twahir as withdrawn.
4. Consequently, there is no court order restraining the Board of Management from convening the Annual General Meeting of the Club and we appreciate the efforts of all those who were involved in the resolution of the matter.
5. The desire of the Board of Management is to convene the long-awaited AGM of the Club at the earliest opportunity.
6. The 3<sup>rd</sup> term of the academic year is the term when our final year candidates sit their final examinations and it is a critical time for our candidates and their parents. There is a Government of Kenya directive that bans public gatherings in school premises during the third term of the academic year. The convening of an AGM at the school during the 3<sup>rd</sup> term would be disruptive to our candidates, their parents and teachers;

and it would amount to defiance of existing Government directives and policy which would place the school at the risk of being banned as an examination centre.

7. The Board of Management has considered the timing of convening of the AGM and the Board resolved to convene the AGM at the earliest opportunity in the first term of the next academic year which starts in January 2024.
8. The Board notes that there is another pending case filed by a number of members of the Club against the Club and its Board of Management, being the case of **Mombasa High Court Civil Case Number 47 of 2022 filed by Dr. Jean Uzel, Dr. Kerich Mary, Dr. Michael Munywoki, Mr. Ahmed Ali Twahir, Mr. Dominic Muange, Mr. Joe Muthui, Ali Abdulswamad, Mrs. Mary Farouq and Mr. Hussein Sharif Abdalla.**
9. The Board of Management recognizes the right of the named Plaintiffs to litigate before the Courts, but the Board implores upon the above named plaintiffs to embrace the spirit of dialogue and mediation as envisaged in the Club Constitution and in that spirit to withdraw their case from the Courts in order to allow the affairs of the Club to run smoothly.
10. We remain grateful to all our members for exhibiting patience and trust as the Board of Management navigated the hurdles that lay on the road to the holding of the Club's Annual General Meeting.

May God bless you all  
With regards

Yours Faithfully;  
**Board of Management**



**Paul Munyao**  
**Hon Secretary**  
**Mombasa Parents Club**