Statement of Claim Supporting Particulars

Overseas Recruitment Refund and Reversed Payments — Milimani Small Claims Court

Educational reconstruction based on a published Kenyan judicial decision. This is newly drafted sample wording, not the original filed document and not a case handled by our team. Parties and identifying details are replaced with fields for completion. The source judgment may display original public case details.

Purpose and correct procedural stage

Looking for a statement of claim supporting particulars for overseas recruitment refund and reversed payments in Nairobi? This page provides a reconstructed draft for Milimani Small Claims Court, with editable Word and PDF downloads. A Kenyan lawyer or advocate can adapt the document to the correct party, evidence and procedural stage.

Use the formal section only after completing the fields from the actual record. The educational notes and later outcome are separate from the draft and should not be filed as allegations that existed at the earlier stage. Keep the actual party’s legal position: Parent who paid recruitment charges. This download is supporting particulars, not a reproduction of the prescribed SCC 1 or SCC 2 form. Obtain the current form from the registry and complete its required fields.

Reconstructed formal document

REPUBLIC OF KENYA
IN THE SMALL CLAIMS COURT AT MILIMANI, NAIROBI
CASE NO [number] OF [year]
[Claimant] — CLAIMANT
VERSUS
[Respondent] — RESPONDENT

STATEMENT OF CLAIM SUPPORTING PARTICULARS

1. The Claimant seeks relief for the transaction described below. These particulars accompany the current prescribed Form SCC 1; the signed form supplies the parties' legal descriptions and service particulars.

2. The pleaded basis for Milimani venue is [evidenced Nairobi place of transaction or respondent's business/residence]. The principal claimed is KSh [verified net amount]; the Claimant relies on the court's contract or money-held jurisdiction as applicable to the completed facts.

3. The payer engaged the recruitment service in connection with proposed employment abroad for two adult sons. The contemplated destination was Romania. Payments were made through bank and mobile-money channels.

4. The service provider proposed a different destination in the United Arab Emirates. The payer's claim was that the change had not been agreed and the promised recruitment service had not been supplied on the original basis.

5. The service provider asserted expenditure on medical, visa and related steps and disputed the sum received. The payer seeks only the refund properly established after accounting for payments, reversals and any legally justified adjustment.

6. The payment history includes a reversed transfer followed by retransmission and a disputed entry involving a third party. These entries require separate treatment to avoid counting a reversed payment or a duplicate credit twice.

7. PARTICULARS OF THE SUM CLAIMED
Total proved payment or contract price: KSh [A]
Less payments, refunds and credits attributable to this transaction: KSh [B]
Less any legally justified adjustment admitted by the Claimant: KSh [C]
Net principal sought: KSh [A minus B minus C]
Separate pleaded additional relief, if supported: [identify basis and amount].

8. The Claimant relies on the contemporaneous records identified in the accompanying list of documents and the witnesses with direct knowledge of payment, performance and the disputed events.

9. RELIEF SOUGHT
Judgment for KSh [net refund established by the transaction schedule], interest as lawfully determined and assessed costs. No refund already received is claimed again.

DATED at [place] this [day] of [month] [year].
[Party or advocate signature]
[Name and capacity]
[Address for service]
TO: [opposing party or advocate, verified service details].

Evidence and adaptation checks

Recruitment terms: Original destination, parties and service promised. Record to locate: Actual engagement correspondence and receipts.

Destination change: Whether the change was agreed. Record to locate: Correspondence proposing alternative destination and response.

Bank and wallet records: Net amounts actually received, not just initiated. Record to locate: Certified or admissible statements, reversals and re-sent transfer records.

Expense records: Whether a particular charge was incurred and is deductible. Record to locate: Actual invoices, payment proof and contractual basis for deductions.

Remittal order: Limits of the quantum rehearing; liability already resolved. Record to locate: Trial order, appeal judgment and remittal directions, for rehearing only.

Do not treat a visa refusal as an automatic entitlement to every payment, assume the agency guaranteed admission, or reuse the set-aside trial figure as the final result.

What happened later — educational context only

The High Court upheld breach liability but set aside the quantum determination for a limited rehearing. The ultimate recalculated refund is not supplied by that judgment.

The sample was drafted retrospectively from the published reasons. It is not evidence that these exact words, schedules or documents were filed in the source proceedings. Factual assertions must be verified independently before any real filing.

Source judgment and filing review

[2026] KEHC 12738 (KLR) — https://sheriahub.com/cases/ke/caselaw/njenga-another-v-njuguna-2026-kehc-12738-klr

Full published judicial text, including final orders, reviewed 8 October 2026. The linked text is a reproduction of the judicial decision. The sample cites that decision as its factual and procedural starting point, not as a guarantee of another case’s outcome.

Before use, a qualified Kenyan advocate should check current legislation and rules, court competence, limitation or appeal time, prescribed forms, electronic-record foundations, service and registry directions. Do not copy historic contract terms into a different transaction.