List of Documents and Issue-to-Evidence Schedule

Unpaid Soil Deliveries and Separate Subcontract Cheques — 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 list of documents and issue-to-evidence schedule for unpaid soil deliveries and separate subcontract cheques 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: Claimant subcontractor.

Reconstructed formal document

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

LIST OF DOCUMENTS AND ISSUE-TO-EVIDENCE SCHEDULE

Filed by: [party]
Procedural stage: [initial claim / response / application / appeal, select the actual stage]
This list identifies actual records to be produced. An unheld record is not represented as an exhibit.

DOCUMENTS RELIED ON

D1. Subcontract and delivery
Description: Memorandum and delivery or acceptance records
Fact or issue addressed: Scope of supply and allocation between subcontractors
Date and author/custodian: [complete]
Bundle pages: [complete]
Production status: [held / requested / unavailable; keep only records actually relied on]

D2. Claimant-specific cheques
Description: Original or bank-certified instruments and return notices
Fact or issue addressed: Identity of payee and separate payment obligation
Date and author/custodian: [complete]
Bundle pages: [complete]
Production status: [held / requested / unavailable; keep only records actually relied on]

D3. Replacement instruments
Description: Replacement cheques, stop notice and payment correspondence
Fact or issue addressed: Whether the debt was satisfied or instruments merely replaced
Date and author/custodian: [complete]
Bundle pages: [complete]
Production status: [held / requested / unavailable; keep only records actually relied on]

D4. Payment reconciliation
Description: Bank or mobile-money credits, disputed payments and their transaction references
Fact or issue addressed: Separate this account from unrelated or reversed payments
Date and author/custodian: [complete]
Bundle pages: [complete]
Production status: [held / requested / unavailable; keep only records actually relied on]

D5. Other proceedings
Description: Relevant pleadings and final order in the other subcontractor’s case
Fact or issue addressed: Test parties, issue and cause of action for the asserted bar
Date and author/custodian: [complete]
Bundle pages: [complete]
Production status: [held / requested / unavailable; keep only records actually relied on]

DOCUMENTS REQUIRING A SEPARATE EVIDENTIAL FOUNDATION

Electronic record source, relevant admissibility certificate or witness: [identify where required].
Third-party records and proposed producing witness: [identify].
Originals available for inspection: [identify].

The filing party will supply a legible, consistently paginated bundle, disclose the relevant complete sequence rather than an isolated misleading extract, and identify disputed or missing records without purporting to have produced them.

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

Subcontract and delivery: Scope of supply and allocation between subcontractors. Record to locate: Memorandum and delivery or acceptance records.

Claimant-specific cheques: Identity of payee and separate payment obligation. Record to locate: Original or bank-certified instruments and return notices.

Replacement instruments: Whether the debt was satisfied or instruments merely replaced. Record to locate: Replacement cheques, stop notice and payment correspondence.

Payment reconciliation: Separate this account from unrelated or reversed payments. Record to locate: Bank or mobile-money credits, disputed payments and their transaction references.

Other proceedings: Test parties, issue and cause of action for the asserted bar. Record to locate: Relevant pleadings and final order in the other subcontractor's case.

Do not silently fix inconsistent source arithmetic or duplicate recovery awarded to another supplier. Complete a claimant-specific payment ledger and check the prior pleadings.

What happened later — educational context only

The claimant recovered the unpaid sum. The court treated the claimant's cheque obligation as distinct and rejected the asserted bar arising from the other subcontractor's case.

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] SCC 193 (KLR) — https://sheriahub.com/cases/ke/caselaw/wairimu-v-kinyanjui-ta-githembe-general-stores-2026-scc-193-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.