



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KISUMU**

**(CORAM: CHERERE-J)**

**CIVIL APPEAL NO.08 OF 2019**

**IN THE MATTER OF GBO AND BJO (CHILDREN)**

**BETWEEN**

**BAO.....APPELLANT**

**AND**

**BTNO.....RESPONDENT**

**(Appeal against judgment and decree in Kisumu Chief Magistrate's Children's Case No. 39 of 2017 by Hon. A.Odawo (RM) on 23.01.19)**

**JUDGMENT**

1. This appeal and **CIVIL APPEAL NO.33 OF 2019** both arise from Kisumu Chief Magistrate's Children's Case No. 39 of 2017.
2. Both appeals are by the same Appellant against the same Respondent and the same subject matter.
3. The orders of dismissal issued on 23rd April, 2020 in respect of **CIVIL APPEAL NO.33 OF 2019** applies to this appeal.
4. Consequently, this appeal is correspondingly dismissed with an order that each party shall bear its own costs.

**DELIVERED THIS 30<sup>th</sup> DAY OF April 2020**

**T. W. CHERERE**

**JUDGE**

**Court Assistant - Ms. Amondi**

**For the Appellant - A.B.L.Musiega & Co. Advocates Absent**

**For the Respondent - Mr. Omondi of Omondi, Abande & Co.Advocates**

**Order**

**This ruling has been delivered to the parties by skype and electronic mail due to measures restricting court operations due to the COVID-19 pandemic and in the light of the directions issued by his Lordship, the Chief Justice on 15<sup>th</sup> March, 2019.**