

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISUMU

CIVIL APPEAL NO.13 OF 2015

KOMBEWA MARKET FUNDS

DRIVE INSTITUTE1ST APPELLANT/APPLICANT

VALLEY AUCTIONEERS.....2ND APPELLANT/APPLICANT

VERSUS

STEPHEN OWITI OWITI.....1ST RESPONDENT

LUCAS ONYANGO OCHIENG.....2ND RESPONDENT

RULING

The application dated 2.4.15 by the applicant prays that the court do grant stay of proceedings in Bondo PMCC No.6 of 2014 pending the hearing and determination of the appeal herein. The application was supported by the sworn affidavit of **FRANICS OTIENO OMER** sworn on 2.4.15,

The application is not opposed. There is apparently an appeal pending herein and upon perusal of the same it appears that the respondent owed some money to the appellant.

As the application is not opposed I am inclined to allow the same. Consequently pending the hearing and determination of the appeal herein there be stay of proceedings in Bondo PMCC No.14. Costs to abide the outcome of the appeal.

Meanwhile since there is now a High Court at Siaya I do transfer this entire appeal for purposes of hearing and determination

Dated, signed and delivered this 29th day of October 2015

H. K. CHEMITEI

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