

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
E & L APPEAL CASE NO. 40 OF 2009

MARGARET KABUTENI.....APPELLANT

VERSUS

GEORGE KIRUKI)

M'MUKETHA M'MUNGANIA).....RESPONDENTS

RULING

The application herein is dated 23rd July, 2013 and seeks orders:

(a) That the honourable court be pleased to dismiss the appeal herein for want of prosecution.

(b) cost be in the cause.

During Inter Partes hearing on 19.9.2013, the parties agreed by consent that the appellant be allowed to file a record of appeal within 21 days from 19.9.2013..

In the circumstances the application is deemed withdrawn and fully concluded. Costs will be in the cause.

Written, Dated and Delivered in Open Court this 19th day of September, 2013 in the presence of:

Kimathi for Applicant

Mwanzia h/b Rimita for Respondent

P. M. NJOROGE

JUDGE