



Editorial Summary

1. *Civil Appeal*

2. *Civil Practice & Procedure*

3. *Subject of Subordinate case:*

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3.1 *Not disclosed.*

4. *Application for stay of execution*

16th March 2012

5. *Held:*

i) *Court notes information on file
too brief to know content of application.*

ii) *Further affidavit be filed.*

6. *Case Law:*

7. *Advocates :*

i) *J L Kariuki holding brief for R.M. Mutiso instructed by
M/s R M Mutiso & Co Advocates for appellant/ original defendant.*

ii) *M/s Mwaura Kamau & Co Advocates for respondent/original plaintiff - absent*

REPUBLIC OF KENYA
IN THE HIGH COURT
AT NAIROBI
MILIMANI LAW COURTS
Civil Appeal 118 of 2012

JAMES NGUGI MWANGI APPELLANT/ ORIGINAL DEFENDANT

VERSUS

PETER NGOCHI NDWIGA..... RESPONDENT/ ORIGINAL PLAINTIFF

(Being an appeal arising from the Ruling of Hon. S. Okato (Senior Principal Magistrate) in Case No. 13161 of 2006 dated 20th February 2012 at Nairobi)

RULING NO. 1

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Application for Stay of Execution
16th March 2012

I. **CERTIFICATE OF URGENCY**

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1. The matter before me is for certificate of urgency seeking orders for stay of execution of the judgment delivered on 28th September 2011 in CMCC 1316/06.
 2. I have perused this application and find that there is little or no information upon which a ruling can

be written as to whether a stay of execution can be issued or not.

3. I hereby order that a further affidavit be filed and or the subordinate court file be called up.

4. This matter be mentioned on 26th March 2012 at 10.00 a.m.

DATED THIS 26TH DAY OF MARCH 2012 AT NAIROBI

M.A. ANG'AWA

JUDGE

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Advocates

- i) *J L Kariuki holding brief for R.M. Mutiso instructed by
M/s R M Mutiso & Co Advocates for appellant/ original defendant.*

- ii) *M/s Mwaura Kamau & Co Advocates for respondent/
Original plaintiff - absent*