



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**

**AT EMBU**

**CIVIL APPEAL NO 40 OF 2010**

MORRISON MBUTHIA MAINA ..... APPELLANT

VERSUS

GLADYS MUTHONI MUCHIRI.....RESPONDENT

*(An Appeal from the Judgment of J.N. MWANIKI Senior Resident Magistrate Baricho Civil Case No. 6 of  
2009 on 8/2/2010)*

**RULING**

This is the Applicant/Appellant's Application dated 25/11/2011. Its supported by the grounds on the face of the Application plus the supporting affidavit. The Respondent was served with the application and date of inter partes hearing. There is no Replying affidavit filed. So the Application stands unopposed.

On 28/11/2011 the court ordered the Applicant to deposit the decretal sum in court. The order was complied with. The Appeal was admitted on 12/10//2011.

The Appellant is expected to move fast and prepare the appeal for hearing. I therefore grant the orders of stay as per prayer 3 of the Notice of Motion dated 25/11/2011.

Costs to be in cause.

**DELIVERED, SIGNED AND DATED AT EMBU THIS 21<sup>ST</sup> DAY OF DECEMBER 2011.**

**H.I. ONG'UDI**  
**JUDGE**