

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

H.C.MISC.APPLI. 13 OF 2007

TERESIA WAINOI MUGAMBI.....APPLICANT

VERSUS

JOSEPH MUGAMBI NGURE.....RESPONDENT

RULING

Notice of Motion filed on 1/2/2007 seeks to enlarge time within which to file an appeal against Judgment/Orders made on 6/7/2006.

The reason for delay in compliance is that the certified copies of Judgment and proceedings were supplied on 25/9/2006. Certificate of delay was issued on 21/12/2006. The dispute is the validity of a customary marriage. This being a matter of determination of personal status of parties it is an important dispute to be determined. I therefore find that the substance of the appeal is important to both parties. I accept the explanation as to the cause of delay.

I allow application and order the proposed appeal to be filed within the next 14 days from today.

Dated this 22nd February, 2008.

J. N. KHAMINWA

JUDGE

22/2/2008

Khaminwa – Judge

Njue- Clerk

Mr. Chomba present

Read in open court.

J. N. KHAMINWA

JUDGE