

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MERU

Civil Appeal 20 of 2003

CORNELIUS KAUNGUJA M'AKANE APPELLANT

VERSUS

DAVID KAILIKIA M'IMATHIU RESPONDENT

RULING

This is a simple application for review of this court's judgment delivered on 11th October 2007 on the ground that the parties are misdescribed in the said judgment.

I have looked at the pleadings and the judgment and I am satisfied that indeed instead of making reference to the appellant the word respondent has been used. That is clearly a mistake or error apparent on the face of the record which this court is empowered to correct.

For the above reason, the judgment is reviewed and it is ordered that the word "appellant" where it appears in the judgment be substituted with the word "respondent" and vice versa save on the last paragraph page 2 line 1 of the judgment.

I make no orders as to costs in this application. However costs in the lower court is awarded to the appellant.

Dated and delivered at Meru this 28th day of April.2008.

W. OUKO

JUDG