

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

FAMILY DIVISION

CIVIL APPEAL NO. 3 OF 2001

DANIEL BUBE KARANJA

MRS JANE WANJIRU KARANJA APPLICANTS

VERSUS

DANIEL C. BUBE RESPONDENT

R U L I N G

Both sides having requested me to act on the basis of what has been said in the affidavit of the Appellant dated 26th April 2002 and filed on that same date as well as the replying affidavit of the Respondent dated 2nd May 2002 and filed on 3rd May 2002 and upon having read the two affidavits in the light of the Memorandum of Appeal and other related documents filed, I hold the opinion that no issue of law (other than customary law) is involved in the Appellant's appeal herein filed to challenge the decision of the Provincial Land Disputes Appeal Tribunal in Kiambu/135/2000 delivered on 11th May 2000, in terms of Section 8 (9) of the Land Disputes Tribunals Act 1990.

I am, therefore, unable to give the certificate required for the said appeal to be listed for hearing and, therefore, this appeal is not admitted to hearing and the same is hereby dismissed with costs to the Respondent.

Dated this 26th day of July 2002.

J.M. KHAMONI

JUDGE