



IN THE HIGH COURT OF KENYA

MISC. CASE NO. 50 OF 2002

IN THE MATTER OF KINYENJE WANJUGU (DECEASED)

AND

IN THE MATTER EVIDENCE ACT CAP 80 SECTION 114

AND

IN THE MATTER OF LAW REFORM ACT CAP 26 SECTION 2

R U L I N G

From what has been brought to my attention during the hearing of this Notice of Motion dated 6th August, 2002, being an ex parte application, I am satisfied that the Applicants have established that their father disappeared from their home about the year 1967 and that since then he has not been heard of or seen to date.

In the circumstances, the said Notice of Motion be and is hereby granted as prayed.

Delivered, dated and signed at Nairobi this 6th Day of November 2002.

J.M. KHAMONI  
JUDGE

**Further Order:**

The two original exhibits produced be, upon the oral application by Mrs Odhiambo, released to her.

J.M. KHAMONI  
JUDGE  
6/11/2002