



REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA AT NAIROBI  
CIVIL APPEAL NO.480 OF 2000

**KIMBLE SECURICAL LIMITED**  
**AND**  
**JAMES KIMBO ..... APPELLAMTS**  
**VERSUS**  
**MARTIN OMONDI OPONDO ..... RESPONDENTS**

RULING

Having considered in the light of the submissions of the Learned Counsel

1. The application (notice of Motion) dated 11/12/2000 filed on 14.12.2000 I find that the provision of O.III R.A was not complied with by the Appellants/Defendants Advocate. Consequently prayer sought in I is granted and 2 – costs.

2. It is ordered that the amount deposited in Court in pursuance of an ex-parte Order made on 7/12/2000 be released to the Plaintiff/Respondent.

Orders accordingly.

SHAIKH M. AMIN

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JUDGE

23/10/2001