



**Gitonga v Meru Highlands Dairy Limited (Civil Appeal
E117 of 2023) [2024] KEHC 58 (KLR) (11 January 2024) (Ruling)**

Neutral citation: [2024] KEHC 58 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
CIVIL APPEAL E117 OF 2023
EM MURIITHI, J
JANUARY 11, 2024**

BETWEEN

PHINEAS GITONGA APPELLANT

AND

MERU HIGHLANDS DAIRY LIMITED RESPONDENT

RULING

1. The Court made an order herein on the November 14, 2023 granting the appellants fourteen (14) days to comply with order for deposit of security as ordered by the court (Cherere, J.) on 27/7/2023, and in default of such deposit the respondent to be at liberty to execute the judgement of the trial court.
2. There has been no compliance and no steps taken in this matter other than being brought up together with two related appeals Meru HCCA Nos. E109 and E113 of 2023 in which specific applications for review of the order for the deposit of security were made.
3. The Court considers, and accordingly marks, the application for stay of execution pending appeal herein as abandoned.
4. The Costs of the application shall be in the Appeal.

Order accordingly.

DATED AND DELIVERED ON THIS 11TH DAY OF JANUARY, 2024.

EDWARD M. MURIITHI

JUDGE

Appearances:

Mr. Nyaga for the applicant.



Mr. Kaba for the Respondent

