



REPUBLIC OF KENYA



KENYA LAW
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**Kasembe & another v Bwore (Civil Appeal E174 of 2023)
[2024] KEHC 3886 (KLR) (19 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 3886 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CIVIL APPEAL E174 OF 2023
RE ABURILI, J
APRIL 19, 2024**

BETWEEN

EDWIN KASEMBE 1ST APPELLANT

PETER OKOTH OUMA 2ND APPELLANT

AND

PETERLIS OPIYO BWORE RESPONDENT

*(Being an appeal from the Judgment of magistrate Hon. G. C. Serem
RM, delivered on 25th May 2023 in Kisumu CMCC No. 150 of 2015)*

RULING

1. Appeal is summarily rejected as there is no evidence that leave to appeal out of the thirty (30) days statutory period was sought and obtained.
2. The impugned judgment was delivered on 25th May 2023 whereas this appeal was filed on 23rd October 2023.
3. The appeal is struck out for being incompetent.
4. File closed.
5. The Appellant to be notified forthwith.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 19TH DAY OF APRIL, 2024

R. E. ABURILI

JUDGE

