



Dianga v Ali (Civil Appeal E093 of 2022) [2024] KEHC 4993 (KLR) (15 May 2024) (Ruling)

Neutral citation: [2024] KEHC 4993 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CIVIL APPEAL E093 OF 2022
RE ABURILI, J
MAY 15, 2024**

BETWEEN

ALEX S. DIANGA APPELLANT

AND

JAMIL IBRAHIM ALI RESPONDENT

(Being an appeal from Judgment of the Small Claims Court at Kisumu by Hon. G. C. Serem, Adjudicator, in Kisumu SCCC No. E018 of 2022 delivered on 29th August, 2022)

RULING

1. Following the orders of this court made on April 19, 2024, it was discovered that the same Appellant herein had also filed another appeal being HCCA No. E093 of 2022 which was concluded.
2. The appeal arises from the same lower court matter being SCCC No. E018 of 2022.
3. HCCA No. E093 of 2022 and SCCC No. E018 of 2022 have been availed herein today. It is not clear whether HCCA No. E093 of 2022 is live or closed.
4. However, as the Appellant duplicated appeals, I find this appeal to be an abuse of court process. It is hereby dismissed with no orders as to costs.
5. This file is closed.
6. This Ruling to be typed.
7. The other files to be returned.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 15TH DAY OF MAY, 2024

R. E. ABURILI

JUDGE

