



**Ogutu v Odhiambo & another (Miscellaneous Civil Application
161 of 2003) [2024] KEHC 6663 (KLR) (3 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 6663 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CIVIL APPLICATION 161 OF 2003
RE ABURILI, J
JUNE 3, 2024**

BETWEEN

JENIPHER ACHIENG OGUTU PLAINTIFF

AND

FRANCIS ODHIAMBO 1ST DEFENDANT

PARESH N. SEDANI 2ND DEFENDANT

RULING

1. This was an application for leave to appeal out of time and stay of execution of decree pending the hearing and determination of the intended appeal.
2. Since 2003, no action has been taken.
3. The application is overtaken by events and is demised.
4. It is dismissed for want of prosecution.
5. The file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 3RD DAY OF JUNE, 2024.

**R. E. ABURILI
JUDGE**

