



REPUBLIC OF KENYA



**KENYA LAW**  
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**Tamar Agencies & another v Musyimi (Civil Appeal E209 of 2023)  
[2024] KEHC 12677 (KLR) (18 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12677 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CIVIL APPEAL E209 OF 2023  
RE ABURILI, J  
OCTOBER 18, 2024**

**BETWEEN**

**TAMAR AGENCIES ..... 1<sup>ST</sup> APPELLANT**

**JOHNSON GICHURU WACHIRA ..... 2<sup>ND</sup> APPELLANT**

**AND**

**JAMES MWENDWA MUSYIMI ..... RESPONDENT**

*(An appeal arising out of the Judgment & Decree of the Honourable G. C. Serem  
(RM) in Kisumu Civil Suit No. 284 of 2021 delivered on 17th June 2023)*

**RULING**

1. Appeal summarily rejected and is struck out for being filed out of time without leave of court.
2. The impugned judgment was rendered on 17<sup>th</sup> June 2023 whereas the appeal was filed on 20<sup>th</sup> December 2023.
3. No orders extending time for filing of the appeal have been annexed to the Memorandum of Appeal.
4. Appellant to be notified. This file is closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 18TH DAY OF OCTOBER, 2024**

**R.E. ABURILI**

**JUDGE**

