

REPUBLIC OF KENYA.

IN THE HIGH COURT OF KENYA AT BUNGOMA.

CIVIL APPEAL NO. 45 OF 2018.

FRANCIS KAMAU.....APPELLANT

VERSUS.

LEONARD KURU.....RESPONDENT

[An Appeal from the Ruling in Original Bungoma CMCC No. 542 delivered on 1.8.2018 by G.P. Omondi (SRM)].

BY CONSENT

1. The sum of Kenyan Shillings Eight Hundred Thousand Only (Kshs.800,000/-) be paid by the Appellant to the Defendant exclusive of Kenya Shillings One Hundred and Ninety Seven thousand Two Hundred and Fifty Four only (Kshs.197,254/-) initially paid to the Appellant vide Cheque No. 037794 drawn on Equity Bank dated 24th July 2018.

The Payments will be effected as hereunder;

- a) The sum of Kenyan Shillings Five Hundred Thousand Only (Ksh.500,000/-) has been transferred into the Account of the Respondent's advocates namely Ocharo Kebira & Co. Advocates, Co-operative Bank, Busia Branch, Account No. 011 362 352 32600 by the Appellant from his Equity Account No.10802987 51203 under Transaction Ref. No. C.726100720145648 dated 10th day of July, 2020.
- b) The Appellant to pay the sum of Kenyan Shillings Sixty Thousand Only (Kshs.60,000/-) every 30th day of the month starting from the month of August 2020 till the payments are made in full.
- c) In default of Clause B above, the Respondent be at liberty to execute for the balance due.
- d) Upon the payment of the entire amount, the matter be marked as settled.

The consent dated 10th July and signed by both counsel is adopted as the Order of this court.

Dated, signed and delivered at Bungoma this 21st day of July, 2020.

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S N RIECHI

JUDGE