



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT SIAYA**

**CIVIL APPEAL NO. 19 OF 2016**

**KENYA MEDICAL RESEARCH INSTITUTE..... PLAINTIFF/APPELLANTS**

**VERSUS**

**KENNEDY OUMA ONYANGO..... DEFENDANT/ RESPONDENT**

*(Being an appeal from the Judgment/Decree from Siaya Principal Magistrate's Court Case No. 28 of 2017, before Hon. C.N.Okore SRM dated 12<sup>th</sup> October, 2016)*

**RULING:**

1. This appeal was filed on 11.11.2016 which is nearly 4 years ago but the appellant has never taken any steps as required under **Order 42 of the Civil Procedure Rules** to ready the appeal for hearing. There is no record of appeal filed.
2. No steps have been taken to indicate the interest in the appeal, not even service of Memorandum of Appeal, on the Respondent.
3. Accordingly, I hereby dismiss this appeal for want of prosecution with no orders as to costs.
4. The file is hereby closed for archiving.
5. Orders accordingly.

**Delivered, Dated and Signed at Siaya this 12<sup>th</sup> Day of October, 2020**

**R.E. ABURILI**

**JUDGE**