

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

CIVIL APPEAL NO. 31 OF 2018

JAPHETH OTIENO AKUMU..... APPELLANT

VERSUS

EZEKIEL ONYANGO AKUMU.....RESPONDENT

(Being an appeal from the Judgment of Siaya Principal Magistrate's Court, Civil Case No. 37 of 1998 dated 7.11.2018 before Hon. T. Olando – Senior Resident Magistrate)

RULING

It is now 9.45 a.m. Parties called, absent. This appeal was admitted to hearing on 11.7.2019 and the Court ordered that the Appellant's Counsel file and serve a record of appeal within 30 days – thereof. On 19.7.2019, Ms. Rosemary Odera served the said Order upon the Parties' Advocates as per her Affidavits of service dated 19.7.2019. To date, the Appellant's Counsel have not complied with Court Orders of 11.7.2019 and they are not in Court to give any explanation for non-compliance. Accordingly, I have no option but to dismiss this appeal for non-compliance with Court orders of 11.7.2019.

Orders accordingly.

Dated, Signed and Delivered at Siaya this 4th Day of November, 2019

R.E. ABURILI

JUDGE