



**REPUBLIC OF KENYA**  
**IN THE COURT OF APPEAL**  
**AT NAIROBI**  
**(Coram: Tunoi, J.A. (IN CHAMBERS))**  
**CIVIL APPLICATION NO. NAI. 321 OF 1998 (126/98UR)**

**KAMLESH MANSUKHLAL DAMJI PATTNI.....APPLICANT**  
**AND**  
**NASIR IBRAHIM ALI**  
**DINKY INTERNATIONAL SA**  
**WORLD DUTY FREE COMPANY LIMITED**  
**KENYA DUTY FREE COMPLEX.....RESPONDENTS**

**(Application for stay of all proceedings and Order of 14th December, 1998**

**in**

**H.C.C.C. NO. 418 OF 1998)**

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**RULING**

It is urged before me that this matter is urgent and that I should certify so. I have now heard both counsel for the parties. I am of the view that the application by the applicant should be granted since the matters in issue, though quite ordinary at the beginning, have assumed a rather extraordinary angle and appear to have spilt out of the realm of the Milimani Commercial Court. In the circumstances it is in the best interests of all the parties concerned and the public at large that the matters in issue in the litigation be disposed of without any further delay. Accordingly, I certify the application urgent and order that, subject to the direction of the Honourable the Chief Justice, the application and all others which are listed be heard by the Court of Appeal on 14th January, 1999. Costs of this application shall be in the cause.

**Made at Nairobi this 8th day of January, 1999.**

**P.K. TUNOI**

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**JUDGE OF APPEAL**

**I certify that this is a true copy of the original.**

**DEPUTY REGISTRAR**