



REPUBLIC OF KENYA  
IN THE COURT OF APPEAL  
AT NAIROBI  
(CORAM: OMOLO, LAKHA & OWOUR, J.J.A.)  
CIVIL APPEAL NO. 199 OF 1997  
BETWEEN

EDWARD ALLAN ROBINSON ..... 1STAPPELLANT  
FRANCIS MURUNGI MURIITHI ..... 2NDAPPELLANT  
ANNE G. MURIITHI ..... 3RDAPPELLANT  
AND  
PHILIP GIKARIA MUTHAMI .....RESPONDENT

(Appeal from the Ruling of the High Court of Kenya at Nairobi  
(Mr. Justice Hayanga) dated 19th day of November, 1996

in

H.C.C.C. NO. 3717 OF 1996)

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RULING OF THE COURT

This is an application under Rule 80 of the Rules of this Court seeking to strike out the Notice of Appeal dated 12th August, 1997 on the ground that the Respondent has not complied with the Order of this Court made on 1st July, 1998.

Mr. Makoloo for the Respondent does not oppose the application and, we think, properly so.

Accordingly the application is granted as prayed. The notice of appeal dated 12th August, 1997 be and is hereby struck out with costs.

Made and delivered at Nairobi this 3rd day of February, 1999.

R.S.C. OMOLO

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JUDGE OF APPEAL

A.A. LAKHA

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JUDGE OF APPEAL

E. OWUOR

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR