

REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAIROBI
(CORAM: LAKHA, J.A. (IN CHAMBERS))
CIVIL APPLICATION NO. NAI. 118 OF 1998
BETWEEN

DR. EDWIN SIMON PETER OTIENO NYAURA APPLICANT
AND
INCE MICHAEL JULIAN RESPONDENT

**(Application for extension of time to file an intended appeal from the Judgment &
Decree of the High Court of Kenya at Nairobi (Justice Juma) dated 7th
November, 1996**

**in
H.C.C.C. NO.2748 OF 1989)**

R U L I N G

I have found this application has caused me great anxiety and difficulty. I am, however, persuaded by Mr. Nyangau's persuasive skill to exercise my wide and unfettered discretion in favour of the applicant, who once he found out the true facts, moved this Court without undue delay. I grant the application as prayed but the applicant shall pay to the respondent the costs, if any, of this application. The Notice of Appeal shall be filed within 7 days from today and the record within 30 days thereafter.

Dated and delivered at Nairobi this 14th day of April, 1999.

A.A. LAKHA

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JUDGE OF APPEAL

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