

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAIROBI
CORAM: OMOLO, TUNOI & SHAH, JJ.A.
CIVIL APPEAL NO. 259 OF 1998
BETWEEN**

JOHN KANANDA & OTHERSAPPELLANTS

AND

HARAMBEE CO-OP SOCIETY LTDRESPONDENT

(Appeal from an order of the High Court of Kenya at Nairobi (Amin J) dated 2nd September, 1998

in

H.C.C.C. NO. 267 OF 1998)

ORDER OF THE COURT

The order appealed against obviously required the leave of the Judge to enable the appellant mount a valid appeal.

The appeal is clearly incompetent and though Mr. Khamala asks us to adjourn the matter to enable his senior to appear. We cannot see how her presence will change the position. The appeal being incompetent, we order that it be and is hereby struck out but with no order as to costs.

Made at Nairobi this 28th day of April, 1999.

R. S. C. OMOLO

JUDGE OF APPEAL

P. K. TUNOI

JUDGE OF APPEAL

A. B. SHAH

JUDGE OF APPEAL

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