

IN THE COURT OF APPEAL

AT NAIROBI

civ app 54 of 99

CHANASE INVESTMENT LIMITED.....APPLICANT

AND

**REGISTERED TRUSTEE OF KENAYA EPISCOPAL
CONFERENCE.....RESPONDENT**

**(Application for stay of execution pending an intended appeal from High Court of Kenya at
Machakos from the ruling (Hon. Justice J.W. Mwera) delivered on 25/11/98**

in

H.C.C.C. NO. 584 OF 1994)

RULING OF THE COURT

The applicant, Chanase Investments Limited, seeks an order for stay of execution pending appeal. It is clear that it seeks stay of execution of the order for costs for it cannot seek any other stay order. It has not been suggested that costs, if taxed and paid, will not be recoverable, if the intended appeal succeeds. In the circumstances this application is dismissed with no order as to costs.

Dated and delivered at Nairobi this 16th day of September, 1999.

J.E. GICHERU

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JUDGE OF APPEAL

A.B. SHAH

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JUDGE OF APPEAL

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

DEPUTY REGISTRAR.