

REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAIROBI
(CORAM: KWACH, TUNOI & LAKHA, J.J.A.)
CIVIL APPLICATION NO. NAI 109 OF 1999 (40/99 UR)

BETWEEN

PULIN HARAKCHAND SHAH APPLICANT
AND
SOUTHERN CREDIT BANKING CORPORATION LIMITED RESPONDENT

(Application for an injunction pending Appeal from the Ruling of the High Court of Kenya at Nairobi (Ole Keiwua, J) delivered on 8th December, 1998

in

H.C.C.C. NO. 759 OF 1998)

RULING OF THE COURT

Having heard counsel for the parties, we are satisfied that the requisite conditions for the exercise of this court's discretion under rule 5 (2) (b) of its Rules are fulfilled.

Accordingly, an injunction shall issue as prayed in prayer 1 of the Notice of Motion dated 10th May, 1999, pending the hearing and determination of the intended appeal.

The costs of this application shall be in the intended appeal.

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

R. O. KWACH

JUDGE OF APPEAL

P. K. TUNOI

JUDGE OF APPEAL

A. A. LAKHA

JUDGE OF APPEAL

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

DEPUTY REGISTRAR