



IN THE COURT OF APPEAL

AT NAIROBI

civil misc appl 205 of 98

STANDARD PROPERTIES LIMITED 1STAPPLICANT

CAPITAL TRUSTEES LIMITED 2NDAPPLICANT

AND

HAIRCARE BEAUTICIANS LIMITEDRESPONDENT

(Application to strike out the Notice of Appeal in an intended appeal from the ruling of the High Court of Kenya at Nairobi (Honourable Justice Kuloba) dated the 17th June, 1998

in

H.C.C.C. NO. 2494 OF 1997)

RULING OF THE COURT

This is an application to strike out the Notice of Appeal under rule 80 of the Rules of this Court. It was filed on 10th July, 1998 which is out of time. No leave or extension has been validly obtained Nor has any leave to appeal been obtained validly. There is no replying affidavit. In these circumstances, the application succeeds. The notice of appeal is struck out and the Order of this Court made on 23rd July, 1998 is consequently vacated. The applicant shall have costs of this application.

Made and delivered at Nairobi this 4th day of May, 1999.

P.K. TUNOI

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JUDGE OF APPEAL

A.B. SHAH

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JUDGE OF APPEAL

A.A. LAKHA

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JUDGE OF APPEAL

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

DEPUTY REGISTRAR