



**REPUBLIC OF KENYA  
IN THE COURT OF APPEAL  
AT NAIROBI  
(GICHERU, TUNOI & LAKHA, JJ.A.)  
CIVIL APPLICATION NO. NAI. 87 1999 (32/99 UR)  
BETWEEN**

**THE REPUBLIC ..... APPLICANT  
THE PERMANENT SECRETARY  
MINISTRY OF AGRICULTURE, LIVESTOCK DEVELOPMENT AND MARKETING**

**EX-PARTE**

**AND**

**SIMON QUIGGREY OGILA .....RESPONDENT**

**(An application in an intended appeal from a Ruling of the High Court of Kenya at Nairobi (Sheikh Amin, J) dated 14th April, 1999**

**in**

**H.C.MISC.CIVIL APPLICATION NO. 98 OF 1999)**

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**RULING OF THE COURT**

The counsel for the applicant, though having filed Notices of Appeal in respect of the ruling and judgment the subject of the intended appeals, has omitted to incorporate them in the record of the motion before us. She has therefore applied for an adjournment to enable her to rectify the omission. The respondent has opposed the application on the ground that the move is an afterthought only meant to delay the disposal of the application. We think that, in the interest of justice we should accede to the application for adjournment, which we hereby grant. The applicant is also granted leave to file a further replying affidavit incorporating the Notices of Appeal so filed. We make no order as to costs.

**Made at Nairobi this 3rd day of June, 1999.**

**J. E. GICHERU**

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**JUDGE OF APPEAL**

**P. K. TUNOI**

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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**