



**REPUBLIC OF KENYA**  
**IN THE COURT OF APPEAL**  
**AT NAIROBI**  
**(CORAM: LAKHA, J.A. (IN CHAMBERS))**  
**CIVIL APPLICATION NO. NAI. 10 OF 1998**  
**BETWEEN**

**ACCROW CONTRACTORS LIMITED**

**JASPAL SINGH BIRDI .....APPLICANTS**  
**AND**  
**SENATOR CARD LIMITED .....RESPONDENT**

**(Application for stay of execution from a Ruling and Order of the High Court of Kenya at Nairobi  
(Justice O'Kubasu) delivered on 28th July, 1998 in**

**H.C.C.C. NO. 1635 OF 1997)**

**R U L I N G**

I find nothing before me to say that this application is urgent. Nothing has been advanced or urged to persuade me that this matter is urgent. The fact that there is a judgment or that the judgment debtor is unable to pay the decretal amount does not of itself make the application urgent. I am not persuaded that this application has any merits. Accordingly, it is dismissed with costs.

**Dated and delivered at Nairobi this 9th day of February,**

**1999.**

**A.A. LAKHA .....**

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**