



IN THE COURT OF APPEAL

AT NAIROBI

CORAM: OMOLO, LAKHA & BOSIRE, J.J.A.

CIVIL APPEAL NO. 103 OF 1999

BETWEEN

SAMKEN LIMITED ABERCROMBIE

KENT LTDAPPELLANTS

AND

MERCEDES SANCHEZ RAU TUSSEL

MOHAMMED OSMAN MAALIMRESPONDENTS

**(Being an appeal from the judgment & decree of the High Court of Kenya at Nairobi (Ringera J)
dated 27th November, 1997**

in

H.C.C.C. NO. 4231 OF 1992 (Consolidated with H.C.C.C. NOS. 4232, 4233 AND 4234 OF 1992)

ORDER OF THE COURT

The appellants failed to obtain an extension of time to file their appeal out of time. That means that this appeal was filed out of time and without leave. It is, accordingly, incompetent and we order that it be and is hereby struck out with the costs thereof to the respondents.

Made at Nairobi this 1st day of October, 1999.

R. S. C. OMOLO

JUDGE OF APPEAL

A. A. LAKHA

JUDGE OF APPEAL

S. E. O. BOSIRE

JUDGE OF APPEAL

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

DEPUTY REGISTRAR