

REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT KISUMU
(CORAM: GICHERU, TUNOI & LAKHA, J.J.A.)
CIVIL APPEAL NO. 167 OF 1998
BETWEEN

THE ATTORNEY GENERAL OF KENYAAPPELLANT
AND
ST. LEONARDS HOSPITAL LTD.RESPONDENT

**(Appeal from the Ruling of the High Court of Kenya at Kisumu (Hon. Mr. Justice Wambiliangah)
dated the 21st day of May, 1998 in a Notice of Motion dated 16th February, 1998 in**

H.C.C.MISC. APPLICATION NO. 3 OF 1998)

ORDER OF THE COURT

By consent of both the appellant and the respondent:-

1.This appeal is hereby marked as settled under the following terms:

(i)The order made by Wambilyangah J on 21st May, 1998 in Misc. C.A. No. 3 of 1998

be and is hereby quashed and set aside with no order as to costs. (ii)The respondent herein, St. Leonards Hospital Ltd. be considered for re-accreditation to NHIF without any conditions and/or terms.

2. Each party to bear its own costs of this appeal.

Dated and delivered at Kisumu this 24th day of November, 1999.

J.E.

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GICHERU

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