



**REPUBLIC OF KENYA**  
**IN THE COURT OF APPEAL**  
**AT NAIROBI**  
**(CORAM: OMOLO, TUNOI & SHAH, JJ.A.)**  
**CIVIL APPLICATION NO. NAI. 26 OF 1998 (13/98 UR)**  
**BETWEEN**

**MANCHESTER OUTFITTERS LIMITED.....A.N.D..APPLICANT**

**1. CHEGE NJOROGE**

**2. GABRIEL NYANJA**

**3. JOHN OLUOCH ONHONJI**

**4. RACHEL KALOKI ANDAYI**

**5. ALEXANDER ETINDI & 27OTHERS.....RESPONDENTS**

**(Application for leave to appeal against the Ruling of the High Court of Kenya at Nairobi (Mr. Justice Amin) dated 5th February, 1998 in H.C.C.C. NO. 583 OF 1997)**

**RULING OF THE COURT**

The applicant seeks leave to appeal against orders issued by the superior court (Sheikh Amin, J.) on 5th February, 1998. The ruling of the learned Judge which is sought to be appealed against resulted into a judgment being entered against the applicant which would result into a decree which is appealable as of right and no leave to appeal required. It is a matter of right.

This application is therefore misconceived and is dismissed but with no order as to costs.

**Dated and delivered at Nairobi this 24th day of February,**

**1998.**

**R.S.C. OMOLO .....**

**JUDGE OF APPEAL**

**P. K. TUNOI .....**

**JUDGE OF APPEAL A. B. SHAH**

.....

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**