



**REPUBLIC OF KENYA**  
**IN THE COURT OF APPEAL**  
**AT NAIROBI**  
**(CORAM: OMOLO, AKIWUMI & SHAH, J.J.A.)**  
**CIVIL APPLICATION NO. NAI. 45 OF 1991**  
**BETWEEN**  
**1. ARTHUR WANYOIKE WAINAINA**  
**2. JAMES MBUTHIA WAINAINA**  
**3. PETER MUNGAI WAINAINA .....APPLICANTS**  
**AND**  
**WANGECHI GABRIEL NJIRI .....RESPONDENT(**  
**Application for an injunction in an intended appeal from**  
**a ruling of the High Court of Kenya at Nairobi (Lady**  
**Justice Aluoch) dated 4th February, 1991**  
**in**  
**H.C.C.A. NO. 167 OF 1982)**

**RULING OF THE COURT**

As no appeal has been filed since 1991, we do not see the basis upon which this application can be considered now. We order that the application be and is hereby dismissed with costs.

Dated and delivered at Nairobi this 10th day of June, 1998.

**R. S. C. OMOLO**  
.....  
**JUDGE OF APPEAL**  
**A. M. AKIWUMI**  
.....  
**JUDGE OF APPEAL**

**A. B. SHAH**

.....

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**