



REPUBLIC OF KENYA

IN THE COURT OF APPEAL

AT NAIROBI

(CORAM: TUNOI, SHAH & OWUOR J.J.A)

CIVIL APPLICATION NO. NAI.182 OF 1998 (UR.70/98)

BETWEEN

PRECISE RENOVATORS & DECORATORS LTD

BARAKA FABRICATORS.....APPLICANTS

VERSUS

GEOFREY NGUGI GATHAIYA.....RESPONDENT

**(Intended appeal
from the ruling and order of the high court of Kenya at
Nairobi (Honourable Mr. Justice Ole Keiwua) dated 25th day of
June, 1998**

**in
H.C.C.C. NO.249 of 1998
formerly
H.C.C.S NO. 347 of 1998)**

RULING OF THE COURT

Having heard Mr. K'Owade when he, in our view, very professionally and correctly, conceded that he cannot support what the learned judge in the superior court ruled on 25th June, 1998, we order that the vehicles, the subject- matter of the suit in the Superior Court and the intended Appeal do remain in the custody of the applicants who will not dispose of or otherwise alienate the said vehicles pending the hearing and determination of the intended appeal which we direct be filed as soon as possible and be heard expeditiously. Costs will be costs in the appeal.

Dated and delivered at Nairobi this 31st day of July,1998.

**P.K. TUNOI
JUDGE OF APPEAL**

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

**E. OWOUR
JUDGE OF APPEAL**

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

DEPUTY REGISTRAR.

