

IN THE COURT OF APPEAL

AT NAIROBI

(Coram: Gicheru, J.A. (IN CHAMBERS))

CIVIL APPLICATION NO. NAI. 243 OF 1993

BETWEEN

NAIGONYO OLE NDUMATE.....APPLICANT

AND

SOLIAN TUMATE.....RESPONDENT

ORDER:

As the applicant has not appeared to prosecute this application, the same is dismissed under rule 55(1) of the Court of Appeal Rules with costs to the respondent.

Dated and delivered at Nairobi this 21st day of October, 1998.

J.E. GICHERU

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR