

REPUBLIC OF KENYA

IN THE COURT OF APPEAL

AT NYERI

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

CIVIL APPLICATION NO. NAI. 202 OF 1996

BETWEEN

ZIPPORAH TIRINDI M'MWITHIGA.....1ST APPLICANT

JULIUS KONDO M'MWITHIGA.....2ND APPLICANT

PETER KIRIMI M'MWITHIGA.....3RD APPLICANT

JOHN KIRIUNGU M'MWITHIGA.....4TH APPLICANT

AND

MBURUGU KIOGA.....RESPONDENT

(Application for extension of time to lodge Notice of
Appeal

and Memorandum of Appeal out of time in an intended
appeal from judgment/decreed/order of the High Court of
Kenya at Meru (Oguk, J.) dated 5th day of November, 1990

in

H.C. MISC. CIVIL APPL. NO. 45 OF 1989)

ORDER

This application is stood over for hearing at Nairobi before me on 20th November, 1998 at 10.30 a.m. in chambers, at Nairobi. Mr. Meenye is ordered to serve a copy each of the application on the respondent's advocates M/s H.P.G. Waweru & Co., the Attorney General and the Commissioner of Lands.

It is a matter of concern for me that M/s. Meenye & Kirima advocates have thought fit not to appear here in preference to an alleged High Court hearing in Nairobi. Mr. G.K. Meenye is hereby ordered to explain in writing as to why he did not appear to-day.

Dated and delivered at Nyeri this 29th day of October, 1998.

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

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

DEPUTY REGISTRAR

