

IN THE COURT OF APPEAL

AT NAIROBI

CORAM: GICHERU, J.A. (IN CHAMBERS)

CRIMINAL APPLICATION NO. NAI. 4 OF 1996

BETWEEN

REUBEN M . MULI.....APPLICANT

AND

REPUBLIC.....RESPONDENT

(Application for leave to appeal out of time in an intended appeal from the order of revision of the High Court of Kenya at Nairobi (Apaloo, C.J.) dated 3/11/94

IN

CRIMINAL CASE NO. 59 OF 1994)

ORDER

Mr. Bwonwong'a does not oppose this application but from the look of it, it would appear that Notice of Appeal was lodged out of time in the superior court on 1st November, 1995. Although the applicant seems not to seek extension of time within which to lodge the Notice of Appeal in his present application, Mr. Bwonwong'a for the respondent does not object to the aforesaid Notice of Appeal being deemed to have been lodged within the extended time as at the date of lodging the said Notice. In the result I extend time within which to lodge the Notice of Appeal to 1st November, 1995 and order that the Notice of Appeal lodged in the superior court on the said date be deemed to have been lodged within the extended time.

Dated and delivered at Nairobi this 15th January, 1997.

J. E. GICHERU

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR