

REPUBLIC OF KENYA

IN THE COURT OF APPEAL

AT KISUMU

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

CIVIL APPLICATION NO. NAI 407 OF 1996 (158/96 UR)

BETWEEN

KENYA RAILWAYS CORPORATION

MIDLAND EMPORIUM LIMITED APPLICANTS

AND

GIRISH KESHAVAL PATEL

BABULAL DURLABHJI KOTAK

ARVIND CHAGANLAL PATEL T/A TRIO DEVELOPERS RESPONDENTS

**(Application for extension of time to file notice of appeal
out of time in an intended appeal from a ruling and order
of the High Court of Kenya at Kisumu (Wambilyangah J)
dated 21st November, 1996**

in

H.C.C.C. NO. 247 OF 1996)

R U L I N G

In view of the fact that Mr. Kahi for the respondents is not objecting to this application and in view of the fact that the matter involves Railway Land, I grant this application. The first applicant will file its notice of appeal against the order of the superior court dated 21st November, 1996, within the next seven days. The record of appeal shall be filed within 20 days after filing of the notice of appeal. Costs of this application will be in the intended appeal.

Dated and delivered at Kisumu this 12th day of March, 1997.

A. B. SHAH

JUDGE OF APPEAL

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

DEPUTY REGISTRAR