

REPUBLIC OF KENYA

IN THE COURT OF APPEAL

AT NAIROBI

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

(CIVIL APPEAL (APPLICATION) NO. 53 OF 1996

BETWEEN

SOLOMON K. NJUGUNA.....APPLICANT

AND

SAVINGS & MORTGAGES KENYA LTD & ANOTHER.....RESPONDENTS

(Being an Appeal from the Ruling and Order of the High
Court of Kenya at Nairobi Honourable Mr. Justice
Andrew Isaac Hayanga dated 13th December, 1995
in
Civil Case No. 1929 of 1988)

R U L I N G

It does not appear that the respondent opposes this application. His advocates were served and they are not here they have not filed any opposing affidavit. The appeal itself has been filed and the delay, I am told, was only for one day. In the circumstances, I allow the application and extend the time for filing the appeal and the extension shall be by such time as will validate Civil Appeal No. 53 of 96 which has already been filed. The costs of this application shall be costs in that appeal. Those shall be my orders.

Dated and delivered at Nairobi this 17th day of March,
1997.

R.S.C. OMOLO

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JUDGE OF APPEAL

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