



REPUBLIC OF KENYA

IN THE COURT OF APPEAL

AT NAIROBI

(CORAM: BOSIRE AG. JA (IN CHAMBERS))

CIVIL APPLICATION NO. NAI. 129 OF 1997 (UR 54/97)

BETWEEN

ANDREW KIPNGENO ARAP KENIK ..... PLAINTIFF

AND

KENYA POSTS & TELECOMMUNICATIONS CORPORATION ..... DEFENDANT

**RULING ON URGENCY**

I am not persuaded that this matter is urgent because I consider it to be essentially a matter for execution. So the applicant/appellant's application/appeal should be heard in the normal manner as there is no justification or proper basis for it being heard on a priority basis. That is the more so because as has been pointed out by Counsel for the applicant/appellant the only issue between the parties is payment of designated sums of money stated in the consent order dated 13th May 1996. In the circumstances my earlier order stands. Today's costs to be costs in the application for injunction dated 28th May 1997.

**Dated and delivered at Nairobi this 28th May, 1997.**

**S.E.O. BOSIRE**

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**AG. JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**