



**REPUBLIC OF KENYA**

**IN THE COURT OF APPEAL  
AT NAIROBI**

**(Coram: Gicheru, Lakha, J.J.A. & Bosire, Ag. J.A.)**

**CIVIL APPLICATION NO. NAI. 126 OF 1997 (UR.53/97)**

**BETWEEN**

**PRUDENTIAL DRYCLEANERS LIMITED.....APPLICANT**

**AND**

**1. RAO JAIVIRSINTHHJI N.**

**T/A DARBAR WHOLESALERS.**

**2. PATRICK C. KINUTHIA**

**T/A EQUATORIAL ACCOUNTANCY.**

**3. ISAAC W. NJOROGE**

**T/A UMOJA CUSHION REPAIRS.**

**4. NANCY W. NGIGE**

**T/A NAN HOT SPOT.....RESPONDENTS**

**(Appeal from the ruling of the High Court of Kenya at Nairobi (Moiwo Ole Keiuwa, J.) dated 15th May, 1997 in H.C.C. SUIT NO. 830 OF 1997)**

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**RULING**

In this motion, the applicant seeks a stay of the order of the superior court dated 30th April, 1997 wherein the respondents were granted a mandatory injunction restoring them to the suit premises L.R. Nakuru/Municipality/Block 5/42. Listening to counsel for the applicant and having carefully looked at the record of the application before us, it would appear that the applicant has not demonstrated that it has an arguable appeal in its intended appeal against the order of the superior court referred to above. In the result, we think that this application is unmeritorious and the same is dismissed with costs to the respondents.

Dated and delivered at Nairobi this 6th day of June, 1997.

**J.E. GICHERU**

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**JUDGE OF APPEAL**

**A.A. LAKHA**

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**JUDGE OF APPEAL**

**S.E.O. BOSIRE**

.....

**JUDGE OF APPEAL**

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

DEPUTY REGISTRAR