

REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAIROBI

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

CIVIL APPLICATION NO. NAI. 150 OF 1997

BETWEEN

RAHAB WAMBUI WAWERU.....APPLICANT

AND

WATAHI KAIRU.....RESPONDENT

(Application for leave to serve Notice of Appeal upon the Respondent out of time in an intended appeal from a judgment of the High Court of Kenya at Nairobi (Justice Khamoni) dated 15th November, 1996

in

H.C.C.C. NO. 3191 OF 1981 (OS)

R U L I N G

This is an application under rule 4 of the Court of Appeal Rules for extension of time to serve the Notice of Appeal on the respondent. It was served on 2nd November, 1996, some 4 days late.

The delay involved is not inordinate. I extend time for service up to 2nd November, 1996. The respondent will have his costs assessed at Shs. 1500/-, to be paid within 7 days and in default execution to issue.

Dated and delivered at Nairobi this 24th day of October, 1997.

R. O. KWACH

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JUDGE OF APPEAL

DEPUTY REGISTRAR

I certify that this is a true copy of the original