



**REPUBLIC OF KENYA**  
**IN THE COURT OF APPEAL**  
**AT NAIROBI**  
**(CORAM: GICHERU, SHAH J.J.A. & BOSIRE AG. J.A)**

**CIVIL APPLICATION NO. NAI 141 OF 1997**

**BETWEEN**

**WILLIAM WAIRAGU MUIGAI.....APPLICANT**

**AND**

**THE TEACHERS SERVICE COMMISSION.....RESPONDENT**

**RULING OF THE COURT**

The respondent filed notice of appeal in the superior court on 24th September, 1996. This was against the ruling of Mbogholi-Msagha J delivered on 19th September, 1996. The registry of the superior court informed the respondent that the copies of proceedings and ruling bespoken by the respondent were ready. This was by the letter dated 3/2/97. To-date no appeal has been filed; nor has there been an application for extension of time. In the circumstances the notice of appeal filed by the respondent on 24th September, 1996 is struck out. The applicant will have costs of this application.

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

**J. E. GICHERU**

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**JUDGE OF APPEAL**

**A. B. SHAH**

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**JUDGE OF APPEAL**

**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**