



REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAIROBI
(CORAM: KWACH, AKIWUMI & LAKHA, JJ.A.)
CIVIL APPEAL NO. 110 OF 1994
BETWEEN

DR. CHARLES IRUNGU.....APPELLANT

AND

OFFICIAL RECEIVER RURAL URBAN CREDIT FINANCE....RESPONDENT

JUDGMENT OF THE COURT

This is an appeal from the Ruling of the superior court (Shah, J. as he then was) whereby he ordered the appellant to vacate the suit premises finding, as he did, that the appellant was a trespasser. We have heard nothing in support of the appeal to satisfy us that the learned judge erred in principle or otherwise. This is a clear case of trespass and there is nothing before us that calls for an interference.

We are satisfied that there is no merit in this appeal. It is dismissed with costs.

Dated and delivered at Nairobi this 11th day of December, 1997.

R.O. KWACH

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JUDGE OF APPEAL

A.M. AKIWUMI

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JUDGE OF APPEAL

A.A. LAKHA

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JUDGE OF APPEAL

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

DEPUTY REGISTRAR