



**IN THE COURT OF APPEAL**

**AT NAIROBI**

**(CORAM: GTCHERU, SHAH & LAKHAL JJ,A.)**

**CIVIL APPEAL NO. 111 OF 1995**

**BETWEEN**

**KENYA COMMERCIAL BANK LIMITED.....APPELLANT**

**AND**

**FISCO (KENYA) LIMITED.....1ST RESPONDENT**

**PAUL OKELO ABAJAH..... 2ND RESPONDENT**

(Appeal from the Order of the High Court of Kenya (Justice Shields) dated 5th February, 1990

in

CONSOLIDATED CC. NO. 2523 OF 1.983 & 533 OF 1982)

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**ORDER OF THE COURT**

For the reasons given by the Court in Civil Appeal No. 110 of 1995, the appeal is also out of time and is hereby struck out with no order as to costs.

Dated and delivered at Nairobi this 14th day of January, 1996

**J.E. GICHERU**

.....

**JUDGE OF APPEAL**

**A.B. SHAH**

.....

**JUDGE OF APPEAL**

**A.A. LAKHA**

.....

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**