



**IN THE COURT OF APPEAL**

**AT NAIROBI**

**CORAM: GICHERU, KWACH & TUNOI, JJ.A.**

**CIVIL APPEAL NO. 102 OF 1992**

**BETWEEN**

**KAMONDIA TUTI.....APPELLANT**

**AND**

**WAIRIMU KAMAU.....RESPONDENT**

**(Appeal from the judgment of the High Court of Kenya at Nairobi (Justice Osiemo) dated 5th July 1990**

**in**

**H.C.C.C. NO. 4581 OF 1987)**

**\*\*\*\*\***

**ORDER OF THE COURT**

The record of appeal in this case does not contain a certified copy of the decree as required by rule 85(1) (h) of the Court of

Appeal Rules. Consequently, the appeal is incompetent and is hereby struck out with no order as to costs.

Made at Nairobi this 29th day of April, 1996.

**J.E. GICHERU**

.....

**JUDGE OF APPEAL**

**R.O. KWACH**

.....

**JUDGE OF APPEAL**

**P.K. TUNOI**

.....

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**