



**IN THE COURT OF APPEAL  
AT NAIROBI  
CORAM: OMOLO, AKIWUMI & TUNOI, J.J.A.  
CIVIL APPLICATION NO. NAI 113 OF 1996 (42/96 UR)**

**BETWEEN**

**NELSON KANYORA KARIUKI**

**NELSOMS GENERAL SERVICES LTD .....APPLICANTS**

**VERSUS**

**NJOROGE KARIUKI ..... RESPONDENT**

(Application for stay of execution of the order of the High Court of Kenya at Nairobi

(Sheikh Amin J) dated 26th February, 1996

in

H.C.C.A. NO. 27 OF 1996)

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**RULING OF THE COURT**

The High Court has made certain interlocutory orders within an appeal pending before it. The applicant herein asked for those orders to be stayed and the judge refused that application. The applicant tells us he intends to appeal to this Court against the order refusing a stay of the High Court's interlocutory orders. We doubt very much whether there is a right to appeal to this Court against interlocutory orders made in an appeal pending before the High Court. We see no reason to grant this application and that being so, we dismiss it with costs to the respondent.

**Dated and delivered at Nairobi this 9th day of May, 1996.**

**R. S. C. OMOLO**

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**JUDGE OF APPEAL**

**A. M. AKIWUMI**

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**JUDGE OF APPEAL**

**P. K. TUNOI**

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**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**