

**IN THE COURT OF APPEAL
AT NAIROBI
(CORAM: GICHERU, KWACH & LAKHA, J.J.A.)
CIVIL APPEAL NO. 51 OF 1996**

BETWEEN

SHAHEEN YAKUB (NEE KHALFAN)APPELLANT

AND

IJAZ YAKUBRESPONDENT

(Appeal from the Ruling of the High Court of Kenya at Mombasa
(Justice S.O. Oguk) dated 23rd January, 1995 at Mombasa

in

(MISC. CIVIL CASE NO. 269 OF 1994 (O.S.))

ORDER OF THE COURT

Mr. Mahan for the appellant applies for leave to withdraw the appeal since more than three years have now expired since the date of the marriage. The appellant is entitled to present a petition if she is so advised. We grant that, in these circumstances, leave is granted. Accordingly, the appeal stands withdrawn. As both advocates agree, there will be no order as to costs.

Made at Nairobi this 12th day of June, 1996.

J.E. GICHERU

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JUDGE OF APPEAL

R.O. KWACH

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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