IN THE COURT OF APPEAL
AT MOMBASA

(CORAM: GICHERU, OMOLO & TUNOI, JJ.A.)
CIVIL APPEAL NO. 119 OF 1996
BETWEEN
BAMBURI PORTLAND CEMENT COMPANY LIMITED ..... APPELLANT
AND
MRS. PHILEMON OYIGO ..... RESPONDENT
(Appeal from a judgment and decree of the High Court of Kenya at Mombasa (Wambiliyangah, J.) dated 21st November, 1995 in H.C.C.C. NO. 331 OF 1989)
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JUDGMENT OF TUNOI, J.A.

I have had the advantage of reading in draft the judgment of Omolo, J.A. I entirely agree with all that he has said and I have nothing useful to add.

This appeal should be dismissed with costs.

Dated and delivered at Nairobi this 11th day of October, 1996.

P. K. TUNOI
.....
JUDGE OF APPEAL

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