IN THE COURT OF APPEAL

AT NYERI

CORAM: GICHERU, KWACH & LAKHA, JJ.A.

CIVIL APPEAL NO. 25 OF 1996

BETWEEN

MURIITHI WACHIRA …….....…APPELLANT

TABITHS WANGARE MURIITHI……..…APPELLANT

AND

ELIJAH MAINA……....……RESPONDENT

(Appeal from the judgement and decree of the High Court of Kenya at Nyeri(Tunoi, J.) dated 10th January, 1994

IN

H.C.C.C. NO. 35 OF 1988

****

ORDER OF THE COURT

The record of the appellant's does not contain a certified copy of the decree appealed against. In the result the said appeal is incompetent and the same is struck out with no order as to costs

Dated and delivered at Nyeri this 16th day of October, 1996

J. E. GICHERU

……

JUDGE OF APPEAL

R. O. KWACH

…….

JUDGE OF APPEAL

A. A. LAKHA

……..

JUDGE OF APPEAL

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

DEPUTY REGISTRAR