



IN THE COURT OF APPEAL

AT NAIROBI

CIVIL APPEAL NO. 209 OF 1996

EDWIN OTIENO OMBAJOAPPELLANT

AND

MARTIN ODERA OKUMU RESPONDENT

**(Appeal from the judgment/Decree of the High Court of Kenya (Justice Khamoni) dated 6th August
, 1996**

in

H. C. C. C. NO. 947 OF 1996)

JUDGMENT OF THE COURT

Having considered the submissions made on behalf of the parties herein, we allow the appeal and order that the deceased's body be handed over to the appellant the father of the deceased for burial by him. We shall give the reasons for our judgment on notice.

This appeal is allowed with costs here and in the superior court.

Dated and delivered at Nairobi this 4th day of November, 1996.

A. M. AKIWUMI

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JUDGE OF APPEAL

A.B. SHAH

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JUDGE OF APPEAL

S. E. O. BOSIRE

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JUDGE OF APPEAL

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

DEPUTY REGISTRAR.