

**IN THE COURT OF
APPEAL AT
KISUMU**

**(CORAM: KIMARU, JA (IN CHAMBERS))
CIVIL APPEAL (APPLICATION) NO. E026 OF
2025**

BETWEEN

THE COUNTY GOVERNMENT OF KISUMU.....1ST

APPLICANT THE BOARD OF KISUMU

CITY.....2ND APPLICANT AND

MEPTAX CONSULTUM LIMITED.....RESPONDENT

(Being an application for the Court to review its Ruling (Asike-Makhandia, Omondi & Muchelule, JJA) dated 28th November, 2025

in

HCCC No. 18 of 2019)

RULING

1. It is not clear from the application whether the applicant is seeking leave of this Court to file appeal out of time or they are seeking to have this Court review its decision rendered on 28th November, 2025 by which the Court struck out the applicant's appeal for the reason that the record of appeal was filed out of time without leave of this Court contrary to **Rule 84(1)** of the **Court of Appeal Rules**.
2. Whichever way one looks at it, it is evident that the applicant

is seeking, from the thrust of the applicant's application, for

review of the decision of the full bench of this Court. This Court lacks the requisite jurisdiction to consider the application. In the circumstances therefore, the application shall be listed for hearing before a full Bench of the Court. There shall be no orders as to costs.

Dated and delivered at Kisumu this 10th day of March, 2026.

L. KIMARU

.....
JUDGE OF APPEAL

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

Signed

DEPUTY REGISTRAR.