



Ongoro v Administrators of the Estate of Oon Ouma (Civil Application E037 of 2024) [2024] KECA 1200 (KLR) (20 September 2024) (Order)

Neutral citation: [2024] KECA 1200 (KLR)

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT KISUMU
CIVIL APPLICATION E037 OF 2024
JM NGUGI, JA
SEPTEMBER 20, 2024**

BETWEEN

CLEMENT KOTONYA ONGORO APPLICANT

AND

THE ADMINISTRATORS OF THE ESTATE OF OON OUMA RESPONDENT

(Being an Application for Extension of time to deem the already filed Notice of Appeal dated 7th February, 2024 as having been properly filed and served within time from the Judgment of the Environment and Land Court at Homabay, (Ong'ondo, J.) dated 7th February, 2024 in ELC Case No. E043 of 2022)

ORDER

1. The application dated 25th March, 2024 was placed before me for hearing as a single Judge on 22nd April, 2024. However, by a letter dated 22nd April, 2024 and filed in Court on 23rd April, 2024, the firm of Rapando & Odunga Advocates, representing the applicant herein, and the firm of Kerario Marwa & Co. Advocates, representing the respondents, conveyed a consent to the effect that:
 1. The Court be pleased to allow the applicant's application dated 25th March, 2024. Consequently, the Notice of Appeal dated 7th February, 2024 and the Appeal is deemed as duly filed, served and properly on record.
 2. The costs will abide the outcome of the appeal.
2. The effect of the mutually agreed consent is to compromise the application dated 25th March, 2024 and the same is hereby adopted as the order of the Court.

MADE AT KISUMU THIS 20TH DAY OF SEPTEMBER, 2024.

JOEL NGUGI



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JUDGE OF APPEAL

I certify that this is a true copy of the original

Signed

DEPUTY REGISTRAR

