



REPUBLIC OF KENYA



KENYA LAW
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**Odongo & another v Ojuok (Civil Application E083 of 2021)
[2023] KECA 806 (KLR) (23 June 2023) (Order)**

Neutral citation: [2023] KECA 806 (KLR)

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT KISUMU
CIVIL APPLICATION E083 OF 2021
F TUIYOTT, JA
JUNE 23, 2023**

BETWEEN

MARY OMOLLO ODONGO 1ST APPELLANT

APOLLO ODHIAMBO GUYA 2ND APPELLANT

AND

HELLEN OUMA OJUOK RESPONDENT

(Being an Application for leave to substitute the deceased respondent)

ORDER

1. In an undated letter but under reference FEW/KSM/CIV/B 11407/2019, Wasuna and Company Advocates for the respondent wrote to the Deputy Registrar of this Court requesting for leave to discontinue and withdraw the application dated 13th May, 2021 for substitution of the deceased respondent in the appeal, as the appellants had since abandoned the appeal.
2. As the request for withdrawal is not opposed, I do hereby mark the application dated 13th May, 2021 as withdrawn with no order as to costs.

DATED AND DELIVERED AT KISUMU THIS 23RD DAY OF JUNE, 2023.

F. TUIYOTT

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JUDGE OF APPEAL

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

Signed

DEPUTY REGISTRAR

