



Munro v Munro (Civil Application 112 of 2018) [2022] KECA 768 (KLR) (24 June 2022) (Ruling)

Neutral citation: [2022] KECA 768 (KLR)

REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT MALINDI
CIVIL APPLICATION 112 OF 2018
SG KAIRU, P NYAMWEYA & JW LESSIT, JJA
JUNE 24, 2022

BETWEEN

CHARLES MICHAEL WALKER MUNRO APPLICANT

AND

PAMELA ANN WALKER MUNRO RESPONDENT

(An application for stay of hearing of Civil Application No. 76 of 2018 (UR 58 of 2018) pending the hearing and determination of this application)

RULING

1. By his application dated 30th November 2018, the applicant seeks orders that this application “be heard on priority basis and before hearing of Civil Application No. 76 of 2018...”; that the hearing of Civil Application No. 76 of 2018 “be stayed pending the hearing and determination of this application”; that the applicant be granted permission to file further affidavit in Civil Application No. 76 of 2018, being the applicant’s supporting further affidavit sworn on 3rd December 2018.
2. The application was fixed for virtual hearing before us on 14th March 2022 alongside Civil Application No. 76 of 2018 which is the subject of the ruling of the Court of even date. Mr. Kinyua, learned counsel appeared for the applicant while Miss. Metto, learned counsel appeared for the respondent.
3. It is not clear why the present application was filed under a different case number as it relates to and should have been filed in Civil Application No. 76 of 2018. That said, having disposed of Civil Application No. 76 of 2018, and in light of the conclusion the Court has reached in its ruling of even date in respect thereof, the present application is evidently overtaken. It is accordingly dismissed with no orders as to costs.

DATED AND DELIVERED AT MOMBASA THIS 24TH DAY OF JUNE 2022.

S. GATEMBU KAIRU, FCIArb

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JUDGE OF APPEAL

P. NYAMWEYA

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JUDGE OF APPEAL

J. LESIIT

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JUDGE OF APPEAL

I certify that this is a true copy of original.

Signed

DEPUTY REGISTRAR

