



**Omole v Wachira; Communist Party of Kenya (CPK) & another (Interested Party)
(Civil Application E247 of 2022) [2022] KECA 799 (KLR) (29 July 2022) (Ruling)**

Neutral citation: [2022] KECA 799 (KLR)

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT NAIROBI
CIVIL APPLICATION E247 OF 2022
DK MUSINGA, F SICHALE & S OLE KANTAI, JJA
JULY 29, 2022**

BETWEEN

BOOKER NGESA OMOLE APPLICANT

AND

BENEDICT WACHIRA RESPONDENT

AND

COMMUNIST PARTY OF KENYA (CPK) INTERESTED PARTY

**INDEPENDENT ELECTORAL & BOUNDARIES COMMISSION . INTERESTED
PARTY**

(Being an application for extension of time to file Notice of Appeal from the Judgment of the High Court of Kenya at Nairobi (Mulwa, J.) dated 7th June, 2022 in H.C.C.A. No. E298 of 2022)

RULING

1. Upon considering the letter by Messrs Okongo, Wandago & Company Advocates dated July 25, 2022 requesting for variation of the dismissal orders made by K. M’Inoti, J.A. on July 25, 2022 on the Motion dated July 13, 2022 which sought extension of time to appeal the High Court Judgment, we decline to vary the said orders and award costs of the Reference to the respondent and the interested parties. The reasons thereof shall be given on September 23, 2022.

DATED AND DELIVERED AT NAIROBI THIS 29TH DAY OF JULY, 2022.

D.K. MUSINGA, (P)

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JUDGE OF APPEAL

F. SICHALE



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JUDGE OF APPEAL

S. ole KANTAI

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JUDGE OF APPEAL

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

Signed

DEPUTY REGISTRAR

