



IN THE COURT OF APPEAL

AT NAIROBI

(CORAM: D. K. MUSINGA, J.A.)

CIVIL APPEAL NO. 121 OF 2019

BETWEEN

JAMES MUTUA NGUI.....APPELLANT

AND

CHANIA ENTERPRISES LIMITED AND NOMINEES.....RESPONDENT

AND

JUSTINAH NZILANI NDETO.....APPLICANT

(Being an application for substitution of the Appellant in Nairobi Court of Appeal in Civil Appeal No. 121 of 2019

in

Civil Appeal No. 121 of 2019.)

RULING

1. The applicant, **Justina Nzilani Ndeto**, by an application dated 8th June 2020 seeks to substitute **James Mutua Ngui** (the deceased appellant), who died on 23rd June 2019. The applicant is the legal representative and a sister-in-law of the deceased.

The subject matter of the appeal is a parcel of land known as **Makueni/Kikumini/460**, which survives the deceased appellant’s death.

2. As the application is not opposed and is brought timeously under the appropriate **rule 99** of this **Court’s Rules**, I hereby allow the same with no order as to costs.

DATED AND DELIVERED AT NAIROBI THIS 23RD DAY OF APRIL, 2021.

D. K. MUSINGA

.....

JUDGE OF APPEAL

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

Signed

DEPUTY REGISTRAR

