



IN THE COURT OF APPEAL

AT KISUMU

(CORAM: OTIENO ODEK, JA. (IN CHAMBERS))

CIVIL APPLICATION NO. 25 OF 2019 (UR 17/2019)

BETWEEN

PETER TOMITO KORINKO.....1<sup>ST</sup> APPLICANT

JOSEPH S. KETERE.....2<sup>ND</sup> APPLICANT

MICHAEL O. KIRUSUA.....3<sup>RD</sup> APPLICANT

VERSUS

KORINKO N. NKOLIAL.....1<sup>ST</sup> RESPONDENT

JONATHAN K. KETERE.....2<sup>ND</sup> RESPONDENT

BENARD K. KETERE.....3<sup>RD</sup> RESPONDENT

STEPHENE M. OLOL TULET.....4<sup>TH</sup> RESPONDENT

DAVID KIRIONKI.....5<sup>TH</sup> RESPONDENT

SAMSON LIMPAL.....6<sup>TH</sup> RESPONDENT

OLE NANYOKIE KITIAPI.....7<sup>TH</sup> RESPONDENT

LESHAN KUKUU.....8<sup>TH</sup> RESPONDENT

SAMSON KALAMAYO.....9<sup>TH</sup> RESPONDENT

OLELEBOI KAIKAI.....10<sup>TH</sup> RESPONDENT

OLOMISMIS GROUP.....11<sup>TH</sup> RESPONDENT

THE DISTRICT LAND REGISTRAR,

TRANSMARA.....12<sup>TH</sup> RESPONDENT

THE NATIONAL LAND COMMISSION.....13<sup>TH</sup> RESPONDENT

*(An application for extension of time to file and serve the Notice of Appeal and Record of Appeal out of time in an intended Appeal from the Judgment and Decree of the High Court of Kenya at Kisii, (Hon. J. M. Mutungi, J) dated 5<sup>th</sup> October, 2018*

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**COURT RULING**

Upon the application of the applicant, the Notice of Motion dated 26<sup>th</sup> March, 2019 be and is hereby marked as withdrawn with costs.

**Dated at Kisumu this 21<sup>st</sup> May, 2019.**

**OTIENO ODEK**

.....

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**