



IN THE COURT OF APPEAL

AT KISUMU

(CORAM: E . M. GITHINJI, HANNAH OKWENGU &

J. MOHAMMED, J.J.A.)

ELECTION PETITION CIVIL APPEAL NO. 7 OF 2017

BETWEEN

CHRIS MUNGA BICHAGE.....FIRST APPELLANT

ZAHEER JHANDA.....SECONDAPELLANT

JAMES F. O. KENANI.....THIRD APPELLANT

AND

INDEPENDENT ELECTORAL &

BOUNDARIES COMMISSIONFIRST RESPONDENT

JULIUS MEJA OKEYO,

THE RETURNING OFFICER.....SECOND RESPONDENT

RICHARD NYAGAKA TONGLI.....THIRD RESPONDENT

(Appeal from the judgment of the High Court of Kenya at Kisii,

(Ndung'u, J.) dated 5th December, 2017

in

HIGH COURT ELECTION PETITION NO. 12 OF 2017)

ORDER OF THE COURT

A notice to show cause was served on the appellant to show cause why the notice of appeal should not be struck out as no action had been taken in furtherance of the notice. As both the appellant and the respondent are absent, we strike out the notice of appeal dated 21st December, 2017 with no orders as to costs.

DATED at Kisumu this 19th June, 2018.

E. M. GITHINJI

.....

JUDGE OF APPEAL

HANNAH OKWENGU

.....

JUDGE OF APPEAL

J. MOHAMMED

.....

JUDGE OF APPEAL

I certify that this is

a true copy of the original.

DEPUTY REGISTRAR.