



IN THE COURT OF APPEAL

AT KISUMU

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

J. MOHAMMED, J.J.A.)

CIVIL APPEAL ELECTION PETITION NO. 6 OF 2017

BETWEEN

STEPHEN M. MOGAKA.....APPELLANT

AND

INDEPENDENT ELECTORAL AND

BOUNDARIES COMMISSION.....1ST RESPONDENT

VINCENT KEMOSI MOGAKA.....2ND RESPONDENT

RETURNING OFFICER, WEST

MUGIRANGO CONSTITUENCY.....3RD RESPONDENT

(Being Notice to show cause why the Notice of Appeal should not be struck out under Section 85 A (1) (a) of the Election Act and Rule 83 of the Court of Appeal Rules

in

ELECTION PETITION CIVIL APPEAL NO. 6 OF 2017)

ORDER OF THE COURT

The Notice of Appeal dated 14th December, 2017 and filed by **Stephen M. Mogaka** is struck out pursuant to a Ruling dated today in Civil Application No. 6 of 2017 dated 10th January, 2018.

Made at Kisumu this 19th day of 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