



IN THE COURT OF APPEAL

AT KISUMU

(CORAM: MARAGA, GATEMBU & MURGOR JJ.A)

CIVIL APPLICATION NO. 13 OF 2015 (UR 9/2015)

BETWEEN

EVERLINE KERUBO MAKINI1ST APPLICANT

CHARLES MOSETI ONCHIRI 2ND APPLICANT

AND

JAMES MAYAKA MONG'ARE..... RESPONDENT

(An Application for stay of execution of a Judgment of the High Court of

Kenya at Kisii, (Sitati, J.) dated 27th February, 2015

in

H.C.C. No. 03 OF 2011)

ORDER OF THE COURT

By consent of the parties, this application is hereby allowed on the following term:

1. The applicant to deposit half of the decretal sum, that is Kes. 1 02,500/=, in an interest earning account in the joint names of the parties' Advocates within thirty days.
2. The Applicant to file the appeal as soon as possible and fast track its hearing.
3. Costs of this application to abide the outcome of the intended appeal.

DATED this 28th April, 2015.

D.K.MARAGA

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JUDGE OF APPEAL

S. GATEMBU KAIRU

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JUDGE OF APPEAL

A.K.MURGOR

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JUDGE OF APPEAL

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

DEPUTY REGISTRAR