



IN THE COURT OF APPEAL

AT ELDORET

(CORAM: MARAGA. GA TEMBU & MURGOR)

CIVIL APPEAL NO. 205 OF 2007

BETWEEN

PAUL CHERUIYOT BITOK 1ST APPELLANT
STEPHEN KIPYEGO KOECH2ND APPELLANT
NOAH KOECH.....3RD APPELLANT

AND

MORRIS LUGALIA LUKE 1ST RESPONDENT
NGUGI GITONGA 2ND RESPONDENT
FRANCIS K. KARINGE 3RD RESPONDENT
TITUS G. NJAU 4TH RESPONDENT
FRANCIS GACHIBI 5TH RESPONDENT

PETER NJOROGE KAMAU on their own behalf and on behalf of

all the members of

NEWS LANGAS COMPANY INVESTMENT.....6TH RESPONDENT

SAMUEL BITOK 7TH RESPONDENT

(An appeal from the ruling & order of the High Court of Kenya at

Eldoret (Hon. Bauni, J) dated 6th July, 2007

in

H.C.C. C NO. 113 OF 2005[0S])

ORDER OF THE COURT

Mr Paul Gicheru learned counsel for the appellant and Mr Ngigi learned counsel for the Respondents have informed the court that the parties have agreed that this appeal being Civil appeal No. 205 of 2007 and the High Court suit giving rise to it namely Eld Hccc 113 of 2005 (OS) be withdrawn with no orders as to costs.

Accordingly this appeal is marked as withdrawn under rule 96 (5) of the rules of this Court. Each party shall bear its own costs of the appeal. High Court Civil Case No. 113 of 2005 (OS) is also marked as withdrawn with each party to bear their own costs.

Dated at Eldoret this 27th day of May, 2015.

D.K.MARAGA

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JUDGE OF APPEAL

S. GATEMBU KAIRU, FCI Arb

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JUDGE OF APPEAL

A. K. MURGOR

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR