



IN THE COURT OF APPEAL

AT NAIROBI

CORAM: KARANJA, G.B.M. KARIUKI & MWILU, JJ.A.

CIVIL APPLICATION NO. SUP 14 OF 2013 (UR 6/2013)

BETWEEN

EDWARD KINGS ONYANCHA MAINA.....APPLICANT

AND

TURKANA DRILLING CONSORTIUM (K) LTD.....1ST RESPONDENT

LUNDIN KENYA BV.....2ND RESPONDENT

AFRICA OIL CORPORATION.....3RD RESPONDENT

REPUBLIC OF KENYA.....4TH RESPONDENT

PS MINISTRY OF ENERGY KENYA.....5TH RESPONDENT

(An application for leave of Court of Appeal to Supreme Court from the ruling of the Court of Appeal (Nambuye, Warsame & Ole Kantai, JJ.A) sitting at Nairobi on 8th March, 2013

in

C.A. CIVIL APPL. NO. NAI 21 OF 2011)

RULING OF THE COURT

This application arises from the same ruling as **Application Sup No. 13 of 2013**. The parties are the same; the issues are the same and the submissions were the same. The applicant insisted that the same be heard separately but he adopted the submissions he had made in Application number Sup 13 of 2013.

For this reason, we find no need to write two different rulings. The ruling in Sup 13 of 2013 will therefore, apply *mutatis mutandis* to this application; with the end result that this application is similarly found devoid of merit and dismissed with costs to the respondents.

Dated and delivered at Eldoret this 11th day of April, 2014.

W. KARANJA

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JUDGE OF APPEAL

G. B. M. KARIUKI

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JUDGE OF APPEAL

P. M. MWILU

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JUDGE OF APPEAL

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

DEPUTY REGISTRAR

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