



IN THE COURT OF APPEAL

AT ELDORET

CORAM: J. MOHAMMED, J.A. [IN CHAMBERS]

CIVIL APPLICATION NO. NAI 78 OF 2013

BETWEEN

OIL TURKANA LIMITED *PREVIOUSLY KNOWN AS TURKANA DRILLING CONSORTIUM LIMITED*

AFRICA OIL CORPORATION

AFRICA OIL KENYA BV *PREVIOUSLY KNOWN AS LUNDIN KENYA BV*

KEITH HILLAPPLICANTS

AND

NATIONAL OIL CORPORATION OF KENYA 1ST RESPONDENT

PLATFORM RESOURCES INC2ND RESPONDENT

ALEC EDWARD ROBINSON3RD RESPONDENT

SUMAYYA ATHMANI [MD NOCK]4TH RESPONDENT

CHINA NATIONAL OFFSHORE OIL CORPORATION 5TH RESPONDENT

(An *ex parte* application from the ruling & order of the High Court of Kenya at Kitale (Karanja, J) dated 5th March, 2013 in

KITALE JRC NO. 1 OF

2012)

RULING

This ruling arises from the application under *rules 42 and 77* dated 25th March, 2013 and lodged on 26th March, 2013.

This is an *ex parte* application brought under *rule 77 of the Court of Appeal Rules* in which the applicants are seeking leave of the Court to dispense with service of documents in the appeal upon

the 1st to 5th respondents.

The said respondents did not participate in the proceedings in the High Court. The ruling is against the applicants only. The ruling does not affect or prejudice the respondents herein.

In view of the foregoing, this application is allowed and leave is hereby granted to dispense with service of documents in the appeal upon the respondents herein. Costs shall be in the appeal.

Dated and delivered at Eldoret this 16th day of October, 2013.

J. MOHAMMED

JUDGE OF APPEAL

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

DEPUTY REGISTRAR