



**REPUBLIC OF KENYA
IN THE COURT OF APPEAL OF KENYA
AT NAIROBI**

Civil Appeal 126 of 2006

CALTEX OIL LIMITED.....APPELLANT

AND

RONO LIMITED.....RESPONDENT

(Appeal from the Ruling and Order of the High Court of Kenya at Nairobi (Waweru, J) dated 24th February, 2005 delivered on 25th February, 2005

in

H.C.C.C. NO. 1388 OF 1992)

ORDER OF THE COURT

As the application is not resisted, it is allowed as prayed in the Notice of Motion filed in the Court on 21st July, 2006. Thus, the Notice of Appeal dated 15th June, 2006 and Civil Appeal NO. 126 of 2006 are hereby ordered struck out with costs to the applicant/respondent.

MADE at NAIROBI this 6th day of February, 2007.

P.K. TUNOI

.....

JUDGE OF APPEAL

E.M. GITHINJI

.....

JUDGE OF APPEAL

J.W. ONYANGO OTIENO

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR