



**REPUBLIC OF KENYA**

**IN THE COURT OF APPEAL OF KENYA**

**AT NAIROBI**

**Civil Appli. Nai 32 of 2006**

**MUA PARK INVESTMENT LIMITED .....APPLICANT**

**AND**

**KENYA NATIONAL ASSURANCE**

**COMPANY LIMITED (IN LIQUIDATION) .....RESPONDENT**

***(Being an application for an injunction pending the hearing and determination of an intended appeal from a ruling and decree of***

***the High Court of Kenya at Nairobi Milimani Commercial Courts***

***(Lady Justice Mary Kasango) dated 16<sup>th</sup> November, 2005***

**in**

**H.C.C.C. NO. 355 OF 2005)**

**\*\*\*\*\***

**RULING OF THE COURT**

This is an application brought under **rules 1(3), 35(1), 42 and 47** of the Court of Appeal Rules requesting the Court to correct the clerical error arising from an accidental slip in both the Ruling dated 5<sup>th</sup> May 2006 and the Order issued therefrom on 19<sup>th</sup> June, 2006 in C.A.C.A. No. NAI. 32 of 2006 by correcting the erroneous description L.R. No. 209/11214 when the correct description of the land in question was L.R. No. 209/11241.

The applicant was Mua Park Investment Ltd and the respondent was Kenya National Assurance Company Ltd. Both the applicant and the respondent agreed before us that the above correction was required and that each party should bear its own costs of the application.

In these circumstances we hereby order that:-

1. *The L.R. Number in Order Number 1 of the Ruling of the Court in Civil Application No. NAI. 32 of 2006 dated and delivered at Nairobi on the 5<sup>th</sup> day of May 2006 be hereby corrected to read “**L.R. Number 209/11241**” instead of L.R. Number 209/11214.*
2. *The L.R. Number in Order No.2 on page 2 of the formal Order issued at Nairobi on the 19<sup>th</sup> day of June 2006 be hereby corrected to read “**L.R. Number 209/11241**” instead of L.R. Number 209/11214.*
3. *Each party shall bear its own costs of the application.*

***Dated and delivered at Nairobi this 27<sup>th</sup> day of April, 2007.***

**E. M. GITHINJI**

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**JUDGE OF APPEAL**

**J. W. ONYANGO OTIENO**

.....

**JUDGE OF APPEAL**

**W. S. DEVERELL**

.....

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**