



REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT MOMBASA
(CORAM: OMOLO, O’KUBASU & ONYANGO OTIENO, J.J.A)
CIVIL APPEAL NO. 261 OF 2003

BETWEEN

M.R. CONSTRUCTION (K) LTD.1ST APPELLANT
COAST PROJECT LTD.2ND APPELLANT
AND
MRS. SARVJIT KAUR RAYETRESPONDENT

(Appeal from the Judgment and Decree of the High Court of Kenya at
Mombasa (Khaminwa, J) dated 25th March 2002
in
H.C.C.C. No. 80 of 1997

JUDGMENT OF THE COURT

We are grateful to counsel on both sides for lightening our burden in this matter.

We enter judgment for the respondent Mrs. Sarvjit Kaur Rayet in the sum of Kshs.1,500,000/- i.e. Kshs. one million and five hundred thousand only, that sum to be inclusive of all interests. We award to the respondent the costs of the suit in the superior court, such costs to be agreed or if not agreed to be taxed. As the appellants have already paid to the respondent the sum of Kshs. one million, the appellants are to be given credit for that sum. We make no order as to the costs of the appeal and the cross-appeal. Those are our orders.

Dated and delivered at Mombasa this 19th day of January 2005.

R.S.C. OMOLO

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JUDGE OF APPEAL
E.O. O’KUBASU

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JUDGE OF APPEAL
J.W. ONYANGO OTIENO

.....
JUDGE OF APPEAL

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

DEPUTY REGISTRAR