

REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT KISUMU
CORAM: O'KUBASU, J.A. (IN CHAMBERS)
CIVIL APPLICATION NAI 199 OF 2005

BETWEEN
GAD DAVID OJUANDO APPLICANT

AND

1. PROF. NIMROD BWIBO
(CHAIRMAN MASENO UNIVERSITY
COUNCIL)

2. PROF. F. N. ONYANGO.....RESPONDENTS
(VICE CHAIRMAN MASENO UNIVERSITY)

3. MASENO UNIVERSITY

(Being application for extension of time to file and serve notice of appeal out of time and thereafter lodge the appeal from part of the decision/orders of the High Court of Kenya at Kisumu (Mr. Justice M. Warsame) dated 23rd May, 2005

in

KISUMU H.C.C.C. NO. 101 OF 2003)

RULING

This is an application under **rule 4** of the Court of Appeal Rules seeking extension of time in which to file and serve notice of appeal out of time and lodge record of appeal. The application is not opposed. Accordingly the application is allowed and the notice of appeal is to be filed and served within 7 days from the date hereof and the record of appeal to be lodged within 30 days from the date the notice of appeal is filed. Costs agreed at **Shs.3,500/=** to the respondent.

Made at Kisumu this 25th day of November, 2005.

E. O. O'KUBASU

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JUDGE

OF

APPEAL

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