

IN THE COURT OF APPEAL
AT NYERI

(CORAM: O’KUBASU, J.A (IN CHAMBERS)
CIVIL APPEAL NO. 19 OF 1992

BETWEEN

1. MOSES NDUNG’U WANG’URU

2. WACHIRA GATAMU APPELLANTS

AND

WILLIAM WAHOME NDIRANGU RESPONDENT

(Appeal from the ruling and order of the High Court of Kenya at

Nyeri (Tunoi, J) dated 8

th

October, 1991)

in

H.C.C.C No. 148 of 1989 (O.S))

R U L I N G

Having considered the submissions by Mr. Ghadialy, and taking into account what the Rules of this Court provide, I am satisfied that the Deputy Registrar erred when he disallowed item 2 of the Bill of Costs. He should have allowed Shs. 2,500/= for item 2 and Shs. 11,000/= for item 3. Hence the reference is allowed and items 2 and 3 of the Bill of Costs, which are the only items that are contested, are allowed as stated above.

Dated and delivered at Nyeri this 27th day of October, 2004.

E.O. O’KUBASU

JUDGE OF APPEAL

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

DEPUTY REGISTRAR