

REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT MOMBASA

CORAM: SHAH, J.A. (IN CHAMBERS)

CIVIL APPLICATION NO. NAI 117 OF 2002

BETWEEN

IBRAHIM K. IDDI APPLICANT
AND
SEIF BIN SALIM TRUSTEES RESPONDENT

(An application for extension of time to have notice of appeal deemed as properly filed and lodged in an intended appeal from the ruling of the High Court of Kenya at Mombasa (Comm Tutui) dated 12th February, 2002

in
H.C.C.C. NO. 564 OF 2000)

RULING ON URGENCY

When I declined to certify Civil Application No. NAI 117 of 2002 as urgent there was no amended notice of motion on Court file. It appears that the motion was not on the file on account of some hitch in the Registry of this Court. I have seen the amended application. I see no impediment in certifying this application as urgent in view of the fact that in the event, eventually, of the intended appeal succeeding and the residential property of the applicant having been sold in the meanwhile the damage could well be irreparable. I now certify this application as urgent. Costs will be in application.

Made at Mombasa this 29th day of January, 2003.

A. B. SHAH

JUDGE OF APPEAL

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

