



REPUBLIC OF KENYA

IN THE COURT OF APPEAL  
AT NAKURU  
CORAM: GICHERU, SHAH & BOSIRE, J.J.A.  
CIVIL APPLICATION NO. NAI. 61 OF 2001

BETWEEN

DAVID KIMANI MUNYUA .....APPLICANT  
AND  
CHRISROPHER NDEGWA KINUTHIA (as the  
legal representative of the Estate of  
Kinuthia Gitura Gikonyo). .....RESPONDENT

(Application to strike out Notice of Appeal from the  
Ruling of the High Court of Kenya at Nakuru (Rimita  
J)  
dated 15th November,2000

in  
H.C.C.C NO. 275 OF 2000)  
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ORDER OF THE COURT

The respondent is not opposing this application for striking out of the Notice of Appeal lodged in the superior Court on 17th November, 2000 in H.C.C.C No. 275 of 2000.

We order therefore that the Notice of Appeal lodged in the said suit on 17th November, 2000 be and is hereby struck out. The applicant will have costs of this application assessed at Shs. 3,000/=.

Made and delivered at Nakuru this 21st day of February, 2002.

**J.E. GICHERU**

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**JUDGE OF APPEAL**

**A.B. SHAH**

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**JUDGE OF APPEAL**

**S.E.O. BOSIRE**

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**JUDGE OF APPEAL**

I certify that this is true copy of the original.

**DEPUTY REGISTRAR**

