

IN THE COURT OF APPEAL
AT NAIROBI

(CORAM: TUNOI, LAKHA & OWUOR, J.J.A.)

CIVIL APPLICATION NO. NAI. 157 OF 2002 (UR. 82/2002)

BETWEEN

1. KIAI MBAKI 1ST APPLICANT

2. WAWERU MUGO 2ND APPLICANT

3. THIONG'O KIUNGA 3RD APPLICANT

AND

GICHUHI MACHARIA 1ST RESPONDENT

DUNCAN MWAURA KAMAU 2ND RESPONDENT

**(Application for stay of execution of the Judgment and Decree
of the High Court of Kenya at Milimani Commercial Courts
delivered by (Hon. Rensley, Commissioner of Assize) dated
29th May, 2002**

in

H.C.WINDING UP CAUSE NO. 1 OF 2000)

RULING OF THE COURT

Whilst expressing no opinion whether the intended appeal is likely to succeed, we are satisfied the intended appeal will be rendered nugatory if stay is withheld. Accordingly, the application is granted as prayed. Costs shall abide the appeal.

Dated and delivered at Nairobi this 25th day of June, 2002.

P.K. TUNOI

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JUDGE OF APPEAL

A.A. LAKHA

.....
JUDGE OF APPEAL

E. OWUOR

.....
JUDGE OF APPEAL

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

DEPUTY REGISTRAR