



REPUBLIC OF KENYA

IN THE COURT OF APPEAL
AT KISUMU

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

CIVIL APPLICATION NO. NAL.192 OF 2002 (KSM.19/02)

BETWEEN

TAWFIQ BUS SERVICESAPPLICANT

AND

**THOMAS AKOMO OJUNGA (Suing as the Administrator
of the Estate of JOHN OSUMBA WERE-DECEASED)RESPONDENT**

**(An application for extension of time to file and serve
notice of appeal and record of appeal out of time from
the decision of the High Court of Kenya at Kisumu (Mr.
Birech, Commissioner of Assize) dated 16th March, 2001**

in

H.C.C.C. NO. 297 OF 1998)

RULING

Miss Okal for the respondent is not opposing this application. I allow the application and order that a fresh notice appeal be lodged within the next seven (7) days and that a fresh record of appeal be lodged within 30 days of the lodgment of the notice of appeal. Costs of this application will be in the intended appeal.

Dated and delivered at Kisumu this 27th day of November, 2002.

A. B. SHAH

JUDGE

OF

APPEAL

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

DEPUTY REGISTRAR