

**IN THE COURT OF APPEAL
AT NAIROBI
(CORAM: AKIWUMI, OWUOR & KEIWUA, J.J.A.)
CIVIL APPEAL NO. 170 OF 2000**

BETWEEN

PAUL MURUNGA T/A SPLINTER TOURS & TRAVELAPPELLANT

AND

CAPT. J. N. WAFUBWA T/A RED IMPEX GENERAL SERVICESRESPONDENT

**(Appeal from the Decree of the High Court of Kenya at
Nairobi (Justice Mbogholi) dated 24th March, 1999**

in

H.C.C.C. NO. 1321 OF 1994)

RULING OF THE COURT

The record of appeal filed in this matter is in many of its pages, quite illegible thus infringing Rule 13(2) of our Rules. For this reason, the appeal is struck with liberty for the appellant to take necessary corrective steps. The respondent will have his costs for today.

Dated and delivered at Nairobi this 8th day of February, 2001.

A. M. AKIWUMI

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JUDGE OF APPEAL

E. OWUOR

.....
JUDGE OF APPEAL

M. KEIWUA

.....
JUDGE OF APPEAL

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

DEPUTY REGISTRAR.