



**IN THE COURT OF APPEAL**

**AT NAIROBI**

**(CORAM: KWACH, SHAH & BOSIRE J.J.A)**

**CIVIL APPLICATION NO. NAI.339 OF 2000 (UR.168/2000)**

**BETWEEN**

**JAYANTILAL GOPAL PATEL .....APPLICANT**

**AND**

**WEST KENYA SUGAR COMPANY LTD ..... 1ST RESPONDENT**

**CREDIT BANK LTD ..... 2ND RESPONDENT**

**PANACHAND JIVRAJ SHAH ..... 3RD RESPONDENT**

**HANSRAJ FULCHAND GUDKA ..... 4TH RESPONDENT**

(An application for stay of execution of the decree or order or decision and of all proceedings and from a decision of the High Court of Kenya (Justice Wambiliyangah) made on the 7th day of November, 2000

in

KISUMU H.C.C.C. No.222 of 2000)

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**ORDER OF THE COURT**

As Shah JA has disqualified himself from hearing the motion before us, the application is taken out of today's hearing list and is stood over to a fresh date to be refixed at the registry on a priority basis, before a bench excluding Shah JA. The interim stay granted on 6th December, 2000 is extended until then. Today's costs shall be in the application.

**Made on 20th day of March, 2001.**

**R.O. KWACH**

.....  
**JUDGE OF APPEAL**

**A.B. SHAH**

.....  
**JUDGE OF APPEAL**

**S.E.O. BOSIRE**

.....  
**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**