



IN THE COURT OF APPEAL

AT NAIROBI

(CORAM: GICHERU, LAKHA & OWUOR, JJ.A.)

CIVIL APPLICATION NO. NAI. 15 OF 1999

BETWEEN

DR. KIRTEE B. PATELAPPLICANT

AND

FREDRICK WAWERU 1ST RESPONDENT

J.M. MUCHIIRI 2ND RESPONDENT

FRANCIS MWAURA NJOROGE 3RD RESPONDENT

(Appeal from the Ruling of the High Court of Kenya at Nairobi

(Justice Aganyanya) dated the 15th day of December, 1998

in

H.C.C.C. NO. 1826 OF 1987)

RULING OF THE COURT

In the absence of a notice of appeal, this application for leave is incompetent and we accordingly strike it out with costs.

Made at Nairobi this 29th day of May, 2001.

J.E. GICHERU

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JUDGE OF APPEAL

A.A. LAKHA

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JUDGE OF APPEAL

E. OWUOR

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR