



**IN THE COURT OF APPEAL  
AT NAIROBI  
(CORAM: BOSIRE, J.A (IN CHAMBERS))  
CIVIL APPLICATION NO. NAI.147 OF 2001 (UR.84/2001)**

**BETWEEN**  
**MBURU KINANI .....APPLICANT**

**AND**

**KANYEKI FARMERS CO-OPERATIVE SOCIETY LTD.....RESPONDENT**

(An application for an injunction and a stay of the  
judgment and decree of (Justice J.K. Mitey) dated  
16th November 2000

in

H.C.C.C. No.1440 of 1998)

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**R U L I N G**

I have reflected on this matter on the question of urgency and I do not think there is any basis or proper basis for holding that this matter is urgent, more so considering the previous conduct of the applicant, Mburu Kimani. In the result I still decline to certify this motion as urgent. I dismiss the application for urgency with costs.

**Dated and delivered at Nairobi this 31st day of July, 2001.**

**S.E.O. BOSIRE**

.....

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**