

**IN THE COURT OF APPEAL
AT NAIROBI
CORAM: SHAH, J.A. (IN CHAMBERS)
CIVIL APPLICATION NO. NAI. 109 OF 2001**

**BETWEEN
BENSON NGUGI MUIRURI.....APPLICANT**

AND

KENYA NATIONAL CAPITAL CORPORATION.....RESPONDENT

**(Being an application for extension of time to file a
fresh Notice of Appeal and Record of Appeal out of
time in an intended appeal from a judgment of the
High Court of Kenya at Nairobi (Keiwua J) dated 10th
October, 1998**

in

H.C.C.C. NO. 1981 OF 1993)

R U L I N G

Both parties having agreed in terms as recorded by me above and seeing no impediment thereto I order that the applicant do file his notice of appeal in the superior court within the next seven days and that the record of appeal be lodged in this Court within 30 days of filing of the notice of appeal. Costs of this application shall be costs in the intended appeal.

Dated and delivered at Nairobi this 5th day of July, 2001.

A.B. SHAH

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR.