

IN THE COURT OF APPEAL

AT NAIROBI

CORAM: OMOLO, J.A. (IN CHAMBERS)

CIVIL APPLICATION NO. NAI 196 OF 2001

BETWEEN

JOYCE ATEMO APPLICANT

AND

MARY IPALI IMUJARO RESPONDENT

(Bein an application for extension of time to file notice
& record of appeal out of time from the ruling of
the High Court of Kenya at Nairobi (Ang'awa J) dated

14th October, 1999

in

H.C.S.C. NO 11 OF 1999)

RULING

The applicant's previous appeal which was lodged within time was struck out on 04/06/01 because it did not contain the notice of appeal. The current motion was lodged on 19th June, 2001, and it is not opposed. In the circumstances, I allow the motion dated the 11th June, 2001 and make the following orders:

- 1.The notice of appeal must be lodged and served on the respondent within seven (7) days of the date hereof.
- 2.The record of appeal must be lodged within fourteen (14) days from the date the notice of appeal is lodged.
- 3.The costs of this motion shall be in the intended appeal.

If orders numbers (1) and (2) are not complied with within the stated times, the motion shall then stand dismissed with costs to the respondent.

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

R. S. C. OMOLO

JUDGE OF APPEAL

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

DEPUTY REGISTRAR