

**IN THE COURT OF APPEAL
AT NAIROBI
CORAM: TUNOI, LAKHA & O'KUBASU, J.J.A.
CIVIL APPLICATION NO. NAI. 106 OF 2000 (UR.51/2000)
BETWEEN**

CALTEX OIL (KENYA) LIMITED APPLICANT

AND

RONO LIMITED RESPONDENT

(Application for extension of time within which
to file the Notice of Appeal and the Record of Appeal in
the intended appeal from the Judgment and Decree of the
High Court of Kenya at Nairobi (Mr. Justice Ole Keiwua)
dated 15th February, 1999

in

H.C.C.C. NO. 1388 OF 1992)

RULING OF THE COURT

Upon Mr. Muthoga's informal application to withdraw this reference and Mr Esmail for the respondent not objecting the reference stands withdrawn.

As to costs there are always at the discretion of the Court. The order that commends itself to us that we make as we hereby do no order as to costs.

Dated and delivered at Nairobi this 29th day of November, 2001.

P. K. TUNOI

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JUDGE OF APPEAL

A. A. LAKHA

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JUDGE OF APPEAL

E. O'KUBASU

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR