

**IN THE COURT OF APPEAL
AT KISUMU
CORAM: LAKHA, J.A. (IN CHAMBERS)
CIVIL APPLICATION NO. NAI. 170 OF 2001 (KSM. 37/97)
BETWEEN
JOSEPH BARASA BOIYO APPLICANT
AND
SOFIA NAFULA JORAM RESPONDENT**

**(Application for extension of time within which to lodge
the Record of Appeal out of time in an intended
Appeal from a judgment and decree of the High Court
of Kenya at Kisumu (Tanui, J.) dated 18th April,
1994
in
H.C.C.C. NO. 184 OF 1985)

R U L I N G:

After the applicant was informed by the Registry that his appeal had been struck-out the applicant took 2 months to make this application. I consider this inordinate delay. It has not been explained. The application therefore is dismissed. There will be no order as to costs.
Made at Kisumu this 20th day of November, 2001.

A. A. LAKHA

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JUDGE **OF** **APPEAL**
I certify that this is a true copy of the original.

DEPUTY REGISTRAR