



IN THE COURT OF APPEAL
AT NYERI
(CORAM: GICHERU, TUNOI & LAKHA, JJ.A.)
CIVIL APPEAL (APPLICATION) NO. 158 OF 1999

BETWEEN

STANDARD CHARTERED BANK (K) LTD. APPELLANT/RESPONDENT

AND

MEME J.M. ANJURI 1ST RESPONDENT/APPELLANT

GITIMBINE INDUSTRIES LTD. 2ND RESPONDENT/APPELLANT

(Appeal from the Judgment and Decree of the High Court of
Kenya at Meru (Justice Etyang) dated 29th May, 1998

in

H.C.C.C. NO. 77 OF 1993)

RULING OF THE COURT

This is an application under rule 80 of the Rules of this Court to strike out the appeal lodged on 5th July, 1999 on the grounds set out in the notice of motion filed on 24th March, 2000. We are satisfied that the essential steps as therein are set out have not been taken. Mr. Mwarania has failed to persuade us otherwise. In the result, the notice of motion succeeds. Accordingly, the appeal lodged on 5th July, 1999 is struck out with costs including the costs of the motion.

Made at Nyeri this 2nd day of November, 2001.

J.E. GICHERU

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JUDGE OF APPEAL

P.K. TUNOI

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JUDGE OF APPEAL

A.A. LAKHA

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JUDGE OF APPEAL

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

DEPUTY REGISTRAR